



# Los Angeles County Department of Regional Planning

*Planning for the Challenges Ahead*



**Amy J. Bodek, AICP**  
Director of Regional Planning

**Dennis Slavin**  
Chief Deputy Director,  
Regional Planning

## REPORT TO THE HEARING OFFICER

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DATE ISSUED:	June 9, 2022	
HEARING DATE:	June 21, 2022	AGENDA ITEM:
PROJECT NUMBER:	2019-003159-(5)	
PERMIT NUMBER(S):	Conditional Use Permit ("CUP") No. RPPL2019005538 Parking Permit ("PKP") No. RPPL2021003788	
SUPERVISORIAL DISTRICT:	5	
PROJECT LOCATION:	42142 50 <sup>th</sup> Street West, Quartz Hill, CA 93536	
OWNER:	Anthony Ling	
APPLICANT:	Nicholas Jones	
CASE PLANNER:	Soyeon Choi, Senior Regional Planner schoi@planning.lacounty.gov	

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### **RECOMMENDATION**

*The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:*

The Department of Regional Planning staff ("Staff") recommends **APPROVAL** of Project Number 2019-003159-(5), CUP Number RPPL2019005538, and PKP Number RPPL2021003788 based on the Findings (Exhibit C – Findings) contained within this report and subject to the Draft Conditions of Approval (Exhibit D – Conditions of Approval).

Staff recommends the following motion:

**I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING AND FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES AND APPROVE CONDITIONAL USE PERMIT NUMBER RPPL2019005538 AND PARKING PERMIT NUMBER RPPL2021003788 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.**

**PROJECT DESCRIPTION**

**A. Entitlement(s) Requested**

- A CUP to authorize the continued sale of a full-line of alcoholic beverages, California Department of Alcoholic Beverage Control (“ABC”) Type 47 License for on-site consumption at an existing restaurant, Happy Hour Bar and Grill, located in the MXD-RU (Rural Mixed-Use Development) Zone pursuant to Section 22.24.030 (Land Use Regulations for Rural Zones) of the Los Angeles County (“County”) Code.
- A Parking Permit to authorize a reduction in the required number of on-site parking spaces from 38 to 16 and two (2) off-site parking facilities for a total of 18 additional parking spaces, and legalize an existing 824-square-foot outdoor dining area (“Expansion”) pursuant to Section 22.178.010 (Parking Permit) of the County Code.

**B. Project**

The applicant, Anthony Ling (“Applicant”), is requesting a CUP to authorize the continued sale of full-line alcoholic beverages for onsite consumption (Type 47) at an existing restaurant and a Parking Permit to authorize a reduction in the on-site parking requirement from 38 to 16 spaces and provide 18 spaces at two off-site locations; and retroactive approval of an 824-square-foot outdoor dining area (“Project”), at an existing 2,120-square-foot restaurant called Happy Hour Bar and Grill located at 42142 50<sup>th</sup> Street West (“Project Site”). The Project Site is located within the MXD-RU Zone and the Quartz Hill Zoned District. Hours of restaurant operation are currently from between 11:00 a.m. and 12:00 a.m. Sunday through Thursday, 11:00 a.m. and 2:00 a.m. Friday and Saturday, with sale of alcoholic beverages from 11:00 a.m. to 10:00 p.m. every day.

A total of 20 parking spaces existed prior to the construction of the outdoor patio dining area. The Expansion was constructed for temporary use during the COVID-19 pandemic in order to accommodate customer needs and meet safety measures, which resulted in the removal of four on-site parking spaces. An occupant load of 55 persons for the Expansion was approved by the Department of Public Works. At a parking ratio of one space per three-persons, 18 additional parking spaces will be required for the Expansion. Since 20 parking spaces previously existed for the existing restaurant, a total of 38 parking spaces are required for the entire restaurant. The applicant is requesting to provide 16 parking spaces in-lieu of the 38 required spaces in order to maintain the Expansion and to provide 18 additional spaces at two off-site locations. The first location at an adjacent property to the north of the Project Site located at 42158 50<sup>th</sup> Street West. This location will provide eight (8) parking spaces and is currently developed with a Jiffy Lube. The second location is at a tire shop (Tire Express) located across the street of the Project Site at 42151 50<sup>th</sup> Street West and it will provide 10 parking spaces.

The Project Site is comprised of one parcel with an Assessor's Parcel Number ("APN") 3103-007-001 and is located northeast of the intersection of 50<sup>th</sup> Street West and West Avenue L-13. The Project Site is accessible from Avenue L-13 for both vehicles and pedestrians, and from 50<sup>th</sup> Street West for pedestrians.

The restaurant was established by Site Plan Review No. PP35305 in 1986. The sale of alcoholic beverages for on-site consumption at the subject restaurant was originally approved by CUP No. 97089-(5) in 1998, and subsequently by CUP No. RCUP200800173. CUP No. RCUP200800173 expired in 2019. The County Sheriff's Department ("LASD") has reviewed the project and does not object to the granting of the CUP.

### **SUBJECT PROPERTY AND SURROUNDINGS**

The following chart provides property data within a 500-foot radius:

LOCATION	LAND USE POLICY	ZONING	EXISTING USES
SUBJECT PROPERTY	MU-R (Mixed Use-Rural)	MXD-RU	Restaurant
NORTH	MU-R, H18 (Residential 18), H2 (Residential 12)	MXD-RU, R-3 (Multi-Family Residential), R-1 (Single-Family Residential)	Retail, auto repair, church, single-family residence ("SFR")
EAST	MU-R, H18	R-3, R-1	Vacant, SFRs, duplex, multi-family residence
SOUTH	MU-R, H18, H2	MXD-RU, R-3	Retail, restaurant, vacant, SFRs, multi-family residences, and duplexes
WEST	MU-R, H18	MXD-RU, R-3	Office, nursery, tire repair, restaurant, SFRs and multi-family residences

### **PROPERTY HISTORY**

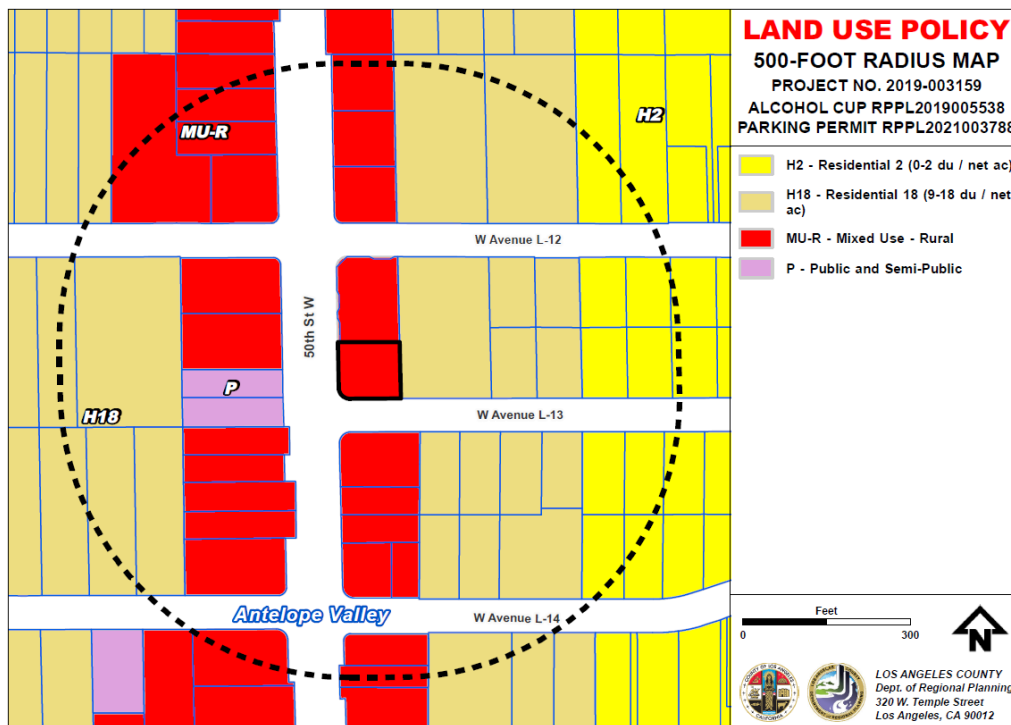
#### **A. Zoning History**

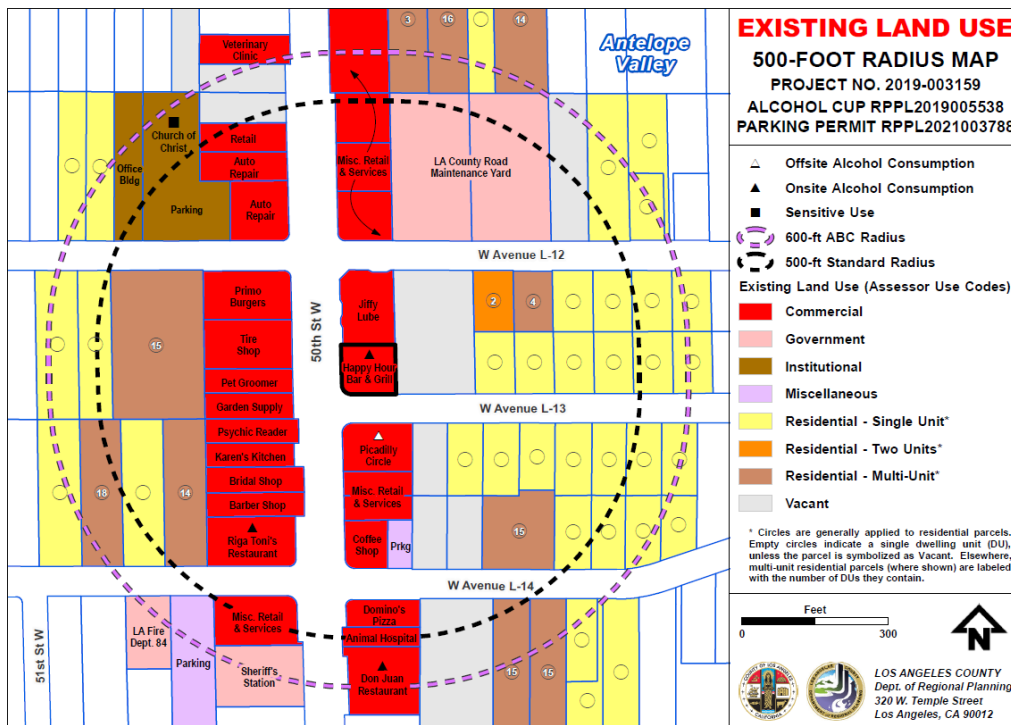
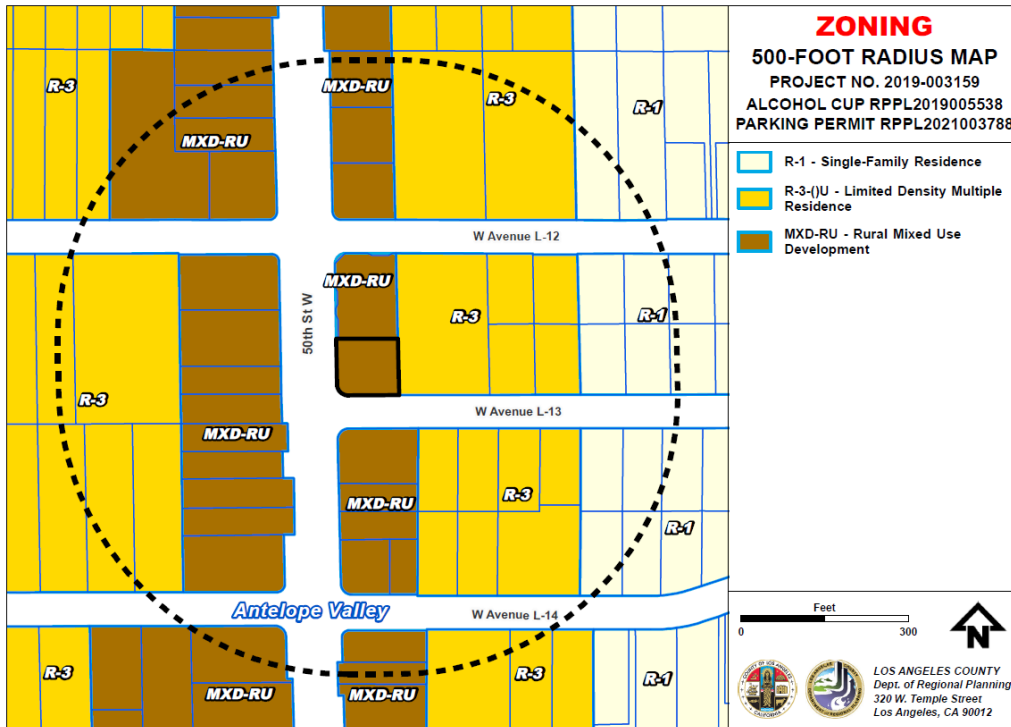
ORDINANCE NO.	ZONING	DATE OF ADOPTION
6009	C-4 (Restricted Commercial)	July 8, 1952
2015	MXD – RU	July 16, 2015

CASE NO.	REQUEST	DATE OF ACTION
PP35305	Construction of a new restaurant	11/11/1986
CUP97089	Authorization of the sale of full-line alcohol at the subject restaurant	1/20/1998
RCUP200800173	Re-authorization of the sale of full-line alcoholic beverages at the restaurant	7/27/2010
RBUS201300032	One phonography (juke box) at the restaurant	2/6/2013
RPPL2019001743	A business license for a public eating and one phonograph (juke box) for the restaurant	3/27/2019
RPPL2021000321	A business license for a public eating	8/4/2020
RPPL2021001422	Temporary on-site outdoor dining at the restaurant	2/17/2021

### C. Violations

CASE NO.	VIOLATION	CLOSED/OPEN
RPCE2020004216	Sale of alcoholic beverages without a valid CUP; not meeting the parking standards; not meeting the outdoor dining development standards	Closed with the filing of the Project Permits
RZPVIO08-0030087	Sale of alcoholic beverages without a valid CUP.	Closed with the filing of the Project Permits





**A. Land Use Compatibility**

The Project Site is a 0.26-acre parcel located within the MU-R land use category of the General Plan and the Antelope Valley Area Plan ("Area Plan"). Allowable uses in this designation include limited, low intensity commercial uses that are compatible with rural activities, including retail, restaurants, and residential and commercial mixed uses. Specific allowable uses and development standards are determined by the underlying MXD-RU zoning designation.

The restaurant is located at the northeast intersection of 50<sup>th</sup> Street West and West Avenue L-13. It is within a designated rural town center by the Area Plan that exists along 50<sup>th</sup> Street West between Avenue L-6 and Avenue M-2, most of which is designated as MU-R in the Area Plan. This corridor is developed with various commercial and retail businesses to serve the daily needs of residents and provide local employment opportunities. There are various low-intensity commercial uses, including offices, restaurants, auto repair, and retails, located along the corridor. To the east of the Project Site, there is a vacant lot abutting the Project Site and multi-family residences. Other surrounding land uses consist primarily of single-family and multi-family residences, duplexes, and vacant land. The continued sale of alcoholic beverages at the existing restaurant has been authorized for more than 20 years without problems and will not cause excessive burdens to the surrounding community.

The subject restaurant is buffered from these residential land uses with streets, existing five-foot high walls, and existing landscaping. The restaurant as well as the business establishments where off-site parking is provided fronts 50<sup>th</sup> Street West, which is mapped Major Highway on the County Master Plan of Highways with approximately 80 feet in width. The continued sale of alcoholic beverages at the existing restaurant and utilizing off-site parking locations will not cause excessive burdens to the surrounding community.

**B. Neighborhood Impact (Need/Convenience Assessment)**

The continued sale of alcoholic beverage for on-site consumption at the existing restaurant is appropriate and will not likely be a nuisance to the surrounding area. The outdoor patio expansion was constructed during COVID-19 pandemic for temporary accommodation for customers and is proposed as a permanent expansion to continue such accommodation. It is attached to the existing enclosed restaurant building and enclosed on all sides with four-foot-high concrete block walls and a roof. The Expansion is accessible from the on-site parking lot and 50<sup>th</sup> Street West only through secured doors. The Project is not proposing any changes to the floor area of the existing restaurant building or type of ABC license.

The restaurant has been in operation for more than twenty years on a commercial corridor where it is intended to attract local customers in the community. The restaurant offers a full-service dining experience, and its customers generally expect alcoholic beverages as a service option. There are currently one other restaurant selling alcoholic beverage for on-site consumption and one convenience store for off-site consumption within a 500-foot-radius of the Project Site: the restaurant is located across 50<sup>th</sup> Street West to the southwest, and the convenience store is located across Avenue L-13 to the south. There is one sensitive use identified within 600 feet of the Project Site, which is a church located to the northwest.

Reduced number of on-site parking spaces for the restaurant will be supplemented by two off-site parking locations, one at Jiffy Lube directly to the north of the subject property and another at Tire Express across 50<sup>th</sup> Street West. Jiffy Lube operates from 8:00 a.m. to 6:00 p.m. Monday through Saturday and from 8:00 a.m. to 5:00 p.m. on Sunday. Tire Express operates from 8:00 a.m. to 5:00 p.m. Monday through Saturday and closed on Sunday. The use of off-site parking locations will be mostly after the hours of operation of the respective businesses since the peak hours for the restaurant are generally during the late afternoon and evening hours.

### **C. Design Compatibility**

The existing structure was built as approved by Plot Plan No. 35305. The proposed outdoor dining area is composed of a four-foot-high concrete wall, a roof, and steel-post roof structure. There is an existing landscaping area along 50<sup>th</sup> Street West. The existing building and the site are well maintained, and the exterior appearance of the structure is compatible with other existing buildings in the commercial corridor along 50<sup>th</sup> Street West and will remain unchanged. The parking lot provided for the restaurant is either behind the existing building or buffered from the street by landscaping.

### **GENERAL PLAN/COMMUNITY PLAN CONSISTENCY**

The Project is consistent with applicable goals and policies of the Antelope Valley Area Plan. Consistency findings can be found in the attached Findings (Exhibit C – Findings).

### **ZONING ORDINANCE CONSISTENCY**

The proposed project complies with all applicable zoning requirements. Consistency findings can be found in the attached Findings (Exhibit C – Findings).

### **APPLICANT'S REQUIRED FINDINGS**

The applicant is required to substantiate all facts identified by Sections 22.158.050.B (Conditional Use Permits, Findings and Decision), 22.140.030.F (Alcoholic Beverage Sales, Findings), and 22.178.050 (Parking Permit) of the County Code. The required CUP findings form, alcoholic beverage sales findings form, the required Parking Permit

findings form with applicant's responses are attached (Exhibit E – Applicant's Findings). Staff is of the opinion that the applicant has met the burden of proof.

### **ENVIRONMENTAL ANALYSIS**

Staff recommends that this project qualifies for a Categorical Exemption (Class 1 Exemption, Existing Facilities and Class 5 Exemption, Minor Alterations to Land Use Limitations) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The Project involves the continued sale of alcoholic beverages at an existing restaurant and to allow reduced and off-site parking to accommodate an existing expansion. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA. An environmental determination (Exhibit F – Environmental Determination) was issued for the project.

### **COMMENTS RECEIVED**

#### **A. County Department Comments and Recommendations**

The Los Angeles County Sheriff's Department ("Sheriff"), in a letter dated February 23, 2022, recommends approval of this CUP. The letter was accompanied by a report of calls received by the Sheriff for the address during the past five years. All calls for service were classified as routine in nature, and included patrol checks by deputies unrelated to the actual business. The letter states that "this establishment has not been a problem" and the "Sheriff recommends approval of this CUP". A copy of the letter is attached for reference (Exhibit I).

#### **B. Other Agency Comments and Recommendations**

The California Department of Alcoholic Beverage Control ("ABC"), in a letter dated June 28, 2021, indicates that there are five (5) licenses for on-site consumption currently active in this census tract (9011.02), and five (5) such licenses are allowed. This means that there are saturated alcoholic beverage sales for on-site consumption in the area as determined by ABC. The letter also indicates that the Project Site is located within a High Crime Reporting District, as defined and determined by ABC. A copy of the letter is attached for reference (Exhibit J).

#### **C. Public Comments**

Staff has not received any comments at the time of report preparation.

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Report

Reviewed By:



Samuel Dea, Supervising Regional Planner

Report

Approved By:

*Maria Masis* for

Susie Tae, Assistant Administrator

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LIST OF ATTACHED EXHIBITS	
EXHIBIT A	Plans
EXHIBIT B	Project Summary Sheet
EXHIBIT C	Findings
EXHIBIT D	Conditions of Approval
EXHIBIT E	Applicant's Findings
EXHIBIT F	Environmental Determination
EXHIBIT G	Informational Maps
EXHIBIT H	Photographs
EXHIBIT I	Sheriff's letter
EXHIBIT J	ABC report







A circular professional engineer seal for the State of California. The outer ring contains the text "REGISTERED PROFESSIONAL ENGINEER" at the top and "STATE OF CALIFORNIA" at the bottom, separated by two stars. The center of the seal contains the name "WILLIAM J. CHALMAN" and the number "No. 61872". A handwritten signature, "William J. Chalman", is written across the seal.

ISSUE	DATE
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APN: 3103-007-001  
42142 50th Street West  
Quartz Hill, CA

# EXTERIOR ELEVATIONS

No.	Name of the respondent	Age	Gender	Marital status	Occupation	Education
1	Mr. A. B. C.	45	Male	Married	Teacher	Graduate
2	Mr. D. E. F.	32	Male	Single	Engineer	Graduate
3	Mr. G. H. I.	58	Male	Married	Retired	Graduate
4	Mr. J. K. L.	28	Male	Single	Doctor	Graduate
5	Mr. M. N. O.	65	Male	Married	Business	Graduate
6	Mr. P. Q. R.	40	Male	Married	Manager	Graduate
7	Mr. S. T. U.	35	Male	Single	Lawyer	Graduate
8	Mr. V. W. X.	50	Male	Married	Engineer	Graduate
9	Mr. Y. Z. A.	30	Male	Single	Teacher	Graduate
10	Mr. B. C. D.	42	Male	Married	Business	Graduate
11	Mr. E. F. G.	55	Male	Married	Engineer	Graduate
12	Mr. H. I. J.	38	Male	Single	Teacher	Graduate
13	Mr. K. L. M.	60	Male	Married	Retired	Graduate
14	Mr. N. O. P.	25	Male	Single	Doctor	Graduate
15	Mr. Q. R. S.	48	Male	Married	Manager	Graduate
16	Mr. T. U. V.	33	Male	Single	Lawyer	Graduate
17	Mr. W. X. Y.	52	Male	Married	Engineer	Graduate
18	Mr. Z. A. B.	27	Male	Single	Teacher	Graduate
19	Mr. C. D. E.	44	Male	Married	Business	Graduate
20	Mr. F. G. H.	57	Male	Married	Engineer	Graduate
21	Mr. I. J. K.	36	Male	Single	Teacher	Graduate
22	Mr. L. M. N.	62	Male	Married	Retired	Graduate
23	Mr. O. P. Q.	29	Male	Single	Doctor	Graduate
24	Mr. R. S. T.	46	Male	Married	Manager	Graduate
25	Mr. U. V. W.	31	Male	Single	Lawyer	Graduate
26	Mr. X. Y. Z.	51	Male	Married	Engineer	Graduate
27	Mr. A. B. C.	26	Male	Single	Teacher	Graduate
28	Mr. D. E. F.	43	Male	Married	Business	Graduate
29	Mr. G. H. I.	56	Male	Married	Engineer	Graduate
30	Mr. J. K. L.	34	Male	Single	Teacher	Graduate
31	Mr. M. N. O.	61	Male	Married	Retired	Graduate
32	Mr. P. Q. R.	24	Male	Single	Doctor	Graduate
33	Mr. S. T. U.	47	Male	Married	Manager	Graduate
34	Mr. V. W. X.	37	Male	Single	Lawyer	Graduate
35	Mr. Y. Z. A.	53	Male	Married	Engineer	Graduate
36	Mr. B. C. D.	23	Male	Single	Teacher	Graduate
37	Mr. E. F. G.	41	Male	Married	Business	Graduate
38	Mr. H. I. J.	54	Male	Married	Engineer	Graduate
39	Mr. K. L. M.	39	Male	Single	Teacher	Graduate
40	Mr. N. O. P.	63	Male	Married	Retired	Graduate
41	Mr. Q. R. S.	22	Male	Single	Doctor	Graduate
42	Mr. T. U. V.	49	Male	Married	Manager	Graduate
43	Mr. W. X. Y.	32	Male	Single	Lawyer	Graduate
44	Mr. Z. A. B.	59	Male	Married	Engineer	Graduate
45	Mr. C. D. E.	21	Male	Single	Teacher	Graduate
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66	Mr. N. O. P.	39	Male	Single	Teacher	Graduate
67	Mr. Q. R. S.	63	Male	Married	Retired	Graduate

PLAN CHECK NO.

DRAWN BY: KV		CHECKED BY: KV	
SCALE AS NOTED		SHEET NO.	
DATE 07/08/2019			
JOB NO.			



Architectural section drawing of a building showing the roof structure and foundation. The drawing includes labels for 'EXIST. CMU BUILDING', 'METAL ROOF PANEL', 'STL. POST & ROOF STRUCT.', and 'EXIST. CMU WALL ON P/L'. A vertical dimension line on the left indicates a height of 7'-9".

NORTH ELEVATION

SC:  $1/4^B = 1^I - 0^H$



PROJECT DESCRIPTION

CONSTRUCT OUTDOOR CANOPY FOR PUBLIC SEATING AREA

LAND DESCRIPTION

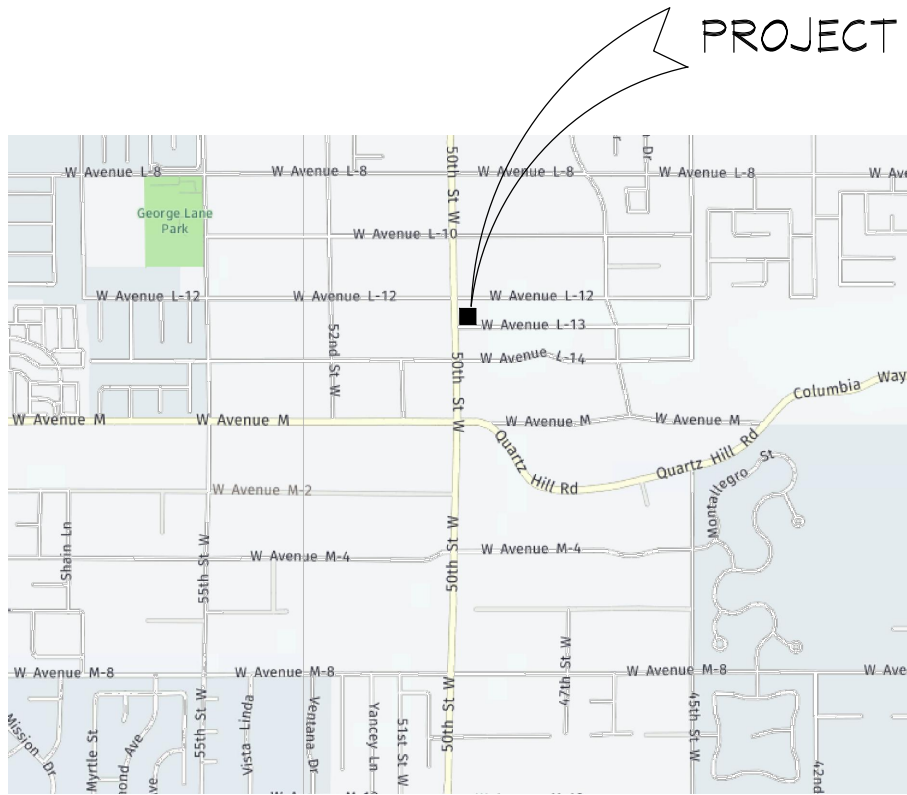
LEGAL DESCRIPTION: PORTION OF LOT 129 OF TRACT NO. 11728, RECORDED MAP BOOK 212, PAGES 29 -30

PARCEL SIZE: 11,140 SF  
APN: 3103-007-001  
PRESENT ZONING: MXD-RU  
GENERAL PLAN DESIGNATION: MIXED USE  
EXISTING LANDSCAPE AREA: 118 SF < 10% REQ.  
LOT COVERAGE: 2120 SF BLDG + 824 SF CANOPY = 2944 SF / 11140 SF = 26% COVERAGE

TYPE OF CONSTRUCTION: V-B  
OCCUPANCY TYPE: B/A-3  
FIRE SPRINKLERS: NO  
EXISTING BUSINESS 2,120 SF (752 SF BAR SEATING, 1,368 SF KITCHEN/OFFICE/RESTROOM)  
NEW CANOPY AREA 824 SF  
TOTAL AREA FOR DINING & DRINKING = 1,576 SF  
KITCHEN/OFFICE/RESTROOM AREA = 1,368 SF

OCCUPANT LOAD:  
B = 1368 / 100 = 14 OCC.  
A-3 = 1576 / 15 = 106 OCC.  
TOTAL = 120 OCC.

PARKING AREA:  
PARKING REQUIRED: 120 / 3 = 40 STALLS  
PARKING EXISTING ON-SITE: 16 STALLS STRIPED  
ADA STALLS = 1  
REGULAR PARKING = 7 (8.3 x 18 STALL)  
PARKING PROVIDED W/ PARKING AGREEMENT: 28 STALLS  
TOTAL NO. OF STALLS AVAILABLE: 44 STALLS



VICINITY MAP  
NO SCALE

ARCHITECTURAL

CIVIL

STRUCTURAL

BUILD

# CEI+B

CHALLMAN ENGINEERING  
INC. + CEI BUILD INC.  
A DESIGN-BUILD COMPANY  
41758 12TH STREET W, SUITE A  
PALMDALE, CA 93551  
TEL: (661) 524-0911 - EMAIL: CEI@CEIENGR.COM  
WEBSITE: WWW.CEIENGR.COM

SEAL

05/20/21

REVISION	DATE
△	
△	
△	
△	
△	
△	
△	
△	

PROJECT  
HAPPY HOURS  
BAR & GRILL

APN: 3103-007-001  
42142 50th Street West  
Quartz Hill, CA

SHEET TITLE

SITE PLAN

CONSULTANTS

DOCUMENT NOTICE:  
THESE PLANS AND ANY ATTACHED DOCUMENTS ARE THE WORK AND PROPERTY OF CHALLMAN ENGINEERING, INC. (THE COMPANY). THE DUPLICATION AND USE OF THESE DOCUMENTS SHALL BE DONE ONLY BY AGREEMENT AND WRITTEN CONSENT BY THE COMPANY AND SHALL BE PURSUANT TO APPLICABLE LAWS. ANY ALTERATION OF THESE DOCUMENTS SHALL VOID THEIR USE IF IT IS DONE WITHOUT PERMISSION FROM THE COMPANY.

PLAN CHECK NO.

DRAWN BY: KV	CHECKED BY: KV
SCALE: AS NOTED	SHEET NO.
DATE: 07/08/2019	
CDR NO.	



Department of Regional Planning  
320 West Temple Street  
Los Angeles, California 90012

**PROJECT NUMBER**

2019-003159-(5)

**HEARING DATE**

June 21, 2022

**REQUESTED ENTITLEMENTS**

Conditional Use Permit No. RPPL2019005538

Parking Permit No. RPPL2021003788

# PROJECT SUMMARY

**OWNER / APPLICANT**

Anthony Ling / Nicolas Jones

**MAP/EXHIBIT DATE**

May 20, 2021

**PROJECT OVERVIEW**

The applicant requests a Conditional Use Permit ("CUP") to authorize the continued sale of full-line alcoholic beverages for on-site consumption at an existing restaurant called Happy Hour Bar and Grill. Also requested is a Parking Permit to authorize 16 on-site parking spaces in lieu of 38 parking spaces and 18 off-site parking spaces at two locations for the retroactive approval of an existing unpermitted 824-square-foot outdoor patio dining area. The restaurant was established by Site Plan Review No. 35305 approved in 1986, and the sale of full-line alcoholic beverages for on-site consumption at the restaurant was authorized by CUP No. 97-089-(5) in 1998 and subsequently by CUP No. 200800173 in 2010. The proposed hours of operation for the restaurant are between 11:00 a.m. to 12:00 a.m. Sunday through Thursday, and between 11:00 a.m. to 2:00 a.m. Friday and Saturday, with sale of alcoholic beverages from 11:00 a.m. until 10:00 p.m. every day.

**LOCATION**42142 50<sup>th</sup> Street W., Quartz Hill**ACCESS**50<sup>th</sup> Street W and West Avenue L-13**ASSESSORS PARCEL NUMBER(S)**

3103-007-001

**SITE AREA**

0.26 Acres

**GENERAL PLAN / LOCAL PLAN**

Antelope Valley Area Plan

**ZONED DISTRICT**

Quartz Hill

**LAND USE DESIGNATION**

MU-R (Mixed Use - Rural)

**ZONE**

MXD-RU (Rural Mixed-Use Development) Zone

**PROPOSED UNITS**

NA

**MAX DENSITY/UNITS**

NA

**COMMUNITY STANDARDS DISTRICT**

NA

**ENVIRONMENTAL DETERMINATION (CEQA)**

Class 1 Categorical Exemption – Existing Facilities

Class 5 Categorical Exemption – Minor Alterations to Land Use Limitations

**KEY ISSUES**

- Consistency with the Los Angeles County General Plan and Antelope Valley Area Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
  - 22.24.030 (Development Standards for Rural Zones)
  - 22.140.030 (Alcoholic Beverage Sales – Additional Findings)
  - 22.140.410 (Development Standards for Outdoor Dining)
  - 22.158.050 (Conditional Use Permit, Findings and Decision)
  - 22.112.050 (Ownership of Required Parking Facilities)
  - 22.178.050 (Parking Permit, Findings and Decision)

**CASE PLANNER:**

Soyeon Choi

**PHONE NUMBER:**

(213) 974 – 6443

**E-MAIL ADDRESS:**[schoi@planning.lacounty.gov](mailto:schoi@planning.lacounty.gov)

**LOS ANGELES COUNTY  
DEPARTMENT OF REGIONAL PLANNING  
DRAFT FINDINGS OF THE HEARING OFFICER  
AND ORDER  
PROJECT NO. 2019-003159-(5)  
CONDITIONAL USE PERMIT NO. RPPL2019005538  
PARKING PERMIT NO. RPPL2021003788**

**RECITALS**

1. **HEARING DATE(S).** The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing on June 21, 2022, in the matter of Project No. **2019-003159-(5)**, consisting of Conditional Use Permit ("CUP") No. RPPL2019005538 and Parking Permit No. RPPL2021003788. The CUP and Parking Permit ("PKP") are referred collectively as the "Project Permits."
2. **ENTITLEMENT REQUESTED.** The permittee, Anthony Ling ("permittee"), requests a CUP to authorize the continued sale of full-line alcoholic beverages for on-site consumption (Type 47) at the existing restaurant, known as Happy Hour Bar and Grill, and a PKP to authorize a reduction in the number of required on-site parking spaces from 38 to 16 and the use of two (2) off-site parking lots with a total of 18 additional parking spaces associated with retroactive approval of an 824-square-foot outdoor dining area ("Project"). The restaurant is located at 42142 50<sup>th</sup> Street West in the unincorporated community of Quartz Hill ("Project Site") in Quartz Hill Zoned District.
3. **ENTITLEMENTS REQUIRED.** A Conditional Use Permit is required to authorize on-site sale of alcoholic beverages at a restaurant in the MXD-RU (Rural Mixed-Use Development) zone pursuant to Los Angeles County Code ("County Code") Section 22.24.030 (Development Standards in Rural Zones).
4. **ENTITLEMENTS REQUIRED.** A PKP is required to authorize 30 percent or more of the required number of on-site parking spaces and/or off-site parking facilities pursuant to Los Angeles County Code ("County Code") Section 22.178.010 (Parking Permit, Findings and Decision).
5. **PREVIOUS ENTITLEMENTS.** Site Plan Review No. PP35305 authorized the development of the subject restaurant in 1986. CUP No. 97089-(5) and CUP No. RCUP200800173 authorized on-site sale of full-line alcoholic beverages at the existing restaurant in 1998 and 2010 respectively. CUP No. 200800173 expired in 2019. Business License Referral No. 201300032, RPPL2019001743, and RPPL2021000321 were issued for public eating establishment. A Special Event Permit No. RPPL2021001422 was approved for temporary outdoor dining in February 2021.

6. **LAND USE DESIGNATION.** The Project Site is located within the MU-R (Mixed Use – Rural) land use category of the Antelope Valley Area Plan (“Area Plan”) Land Use Policy Map, a component of the General Plan.
7. **ZONING.** The Project Site is located in the Quartz Hill Zoned District and is currently zoned MXD-RU (Rural Mixed-Use Development).
8. **PROJECT AND SITE PLAN DESCRIPTION.**

A. Existing Site Conditions

The Project Site consist of a 0.26-acre lot rectangular in shape with gentle sloping topography. It is developed with a restaurant building, a paved parking lot to the east of the building, and an existing enclosed outdoor dining area (“Expansion”) that was approved for temporary use and is proposed for a permanent use. There are walls along the adjoining property lines to the north and east, and landscaping along the southern property line.

B. Site Access

The Project Site is accessible via both 50<sup>th</sup> Street West from the west and Avenue L-13 from the south. Primary access to the Project Site is via an entrance/exit on Avenue L-13. Secondary access is via exit-only gates from the restaurant building and the outdoor patio area on 50<sup>th</sup> Street West. 50<sup>th</sup> Street West is a fully improved Existing Major Highway in the County’s Master Highway Plan

C. Site Plan

The site plan depicts an existing, 3,034-square-foot one-story restaurant on the west side of the subject property. 16 parking spaces, including one handicap accessible parking space, are provided on the eastern portion of the parcel with an existing driveway fronting on Avenue L-13 to the south. A trash enclosure is provided at the northeast corner of the subject property.

The outdoor dining patio is not internally connected to the existing dining area. It is enclosed on all sides with four-foot-high concrete block walls and a roof, up to a height of 11’-6”. The outdoor dining area is accessible from the on-site parking lot and 50<sup>th</sup> Street West through access doors. The Project is not proposing any changes to the floor area of the existing restaurant building or the existing parking lot.

The applicant is requesting to provide 16 on-site parking spaces in-lieu of the 38 required spaces in order to maintain the Expansion and to provide 18 additional spaces at two (2) off-site locations. The first location at an adjacent property to the north of the Project Site located at 42158 50<sup>th</sup> Street West. This location will provide eight (8) parking spaces and is currently developed with a Jiffy Lube. The second location is at a tire shop (Tire Express) located across the street of the Project Site at 42151 50<sup>th</sup> Street West and it will provide 10 parking spaces.

**D. Parking**

There are currently 16 on-site parking spaces provided on the east portion of the subject parcel, including one accessible parking space. Based on the occupant load determination approved by the County Department of Public Works, the approved occupant load for the outdoor dining area is 55, which requires 18 additional parking spaces. Since 20 parking spaces previously existed for the existing restaurant, a total of 38 parking spaces is required for the entire restaurant. To address the insufficient on-site parking spaces, two (2) off-site parking lots adjacent the Project Site for a total of 18 parking spaces are proposed.

One of the locations is Jiffy Lube, which abuts the Project Site to the north and will provide eight (8) parking spaces. The other location is Tire Express, which is located across the 50<sup>th</sup> Street West at 42151 50<sup>th</sup> Street West and will provide 10 parking spaces. The hours of operation for Jiffy Lube are from 8:00 a.m. to 6:00 p.m. Monday through Saturday and 8:00 a.m. to 5:00 p.m. on Sunday, and Tire Express from 8:00 a.m. to 5:00 p.m. with Sunday closed. The off-site parking will be used by the subject restaurant customers mostly during dinner and afterwards, which are the peak hours. No new on-site parking spaces, re-striping of parking lot, or alterations to the previously existed restaurant building is proposed.

**9. PUBLIC COMMENTS.**

Prior to the publication of the report to the Hearing Officer, the Department of Regional Planning ("Regional Planning") staff received no public comments.

**10. AGENCY RECOMMENDATIONS.**

Los Angeles County Sheriff's Department: Recommended clearance to public hearing with no conditions in a letter dated February 23, 2022.

California Alcoholic Beverage Control: Submitted a report dated June 28, 2021, stating that the location is within a census tract in a high crime reporting area and an area with an undue concentration of alcoholic beverage licenses.

**11. CEQA DETERMINATION.**

Prior to the public hearing on the Project, Regional Planning staff determined that the Project qualifies for Class 1, Existing Facilities, and Class 5, Minor Alterations in Land Use Limitations, categorical exemptions from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project involves the continued sale of alcoholic beverage

for on-site consumption for an existing restaurant with a modification of parking requirements associated with an expansion of the dining area.

### **GENERAL PLAN AND AREA PLAN CONSISTENCY FINDINGS**

12. **LAND USE POLICY.** The Hearing Officer finds that the Project is consistent with the goals and policies of the Area Plan because the MU-R land use category is intended for limited, low intensity commercial uses that are compatible with rural and agricultural activities. The request to continued serving alcoholic beverage at an established restaurant located in rural commercial corridor will not conflict with this designation. The Hearing Officer further finds that the Project offers additional and enhanced opportunities for diverse dining experiences.

13. **GOALS AND POLICIES.** The Hearing Officer finds that the Project supports the following goals and policies in the Area Plan.

- Goal LU 4: A land use pattern that promotes the efficient use of existing and/or planned infrastructure and public facilities.
- Area Plan Land Use Policy LU 5.2: Encourage the continued development of rural town centers that provide for the daily needs of surrounding residents, reducing the number of vehicle trips and providing local employment opportunities.
- Area Plan Land Use Policy LU 5.4: Ensure that there is an appropriate balance of residential uses and employment opportunities within close proximity of each other.

The restaurant has existed at the rural town area for more than twenty years serving local residents and providing local employment opportunities. The restaurant is located within an established community, and it provides easy pedestrian as well as vehicle access to full-service dining with alcoholic beverage options at its current location. The requested authorization for reduced parking and the use of off-site parking facilities is to maintain an established local service so it can expand and allow flexible parking arrangement by utilizing parking lots of nearby businesses.

- Area Plan land Use Policy M 11.4: Within rural town center areas, encourage parking to be located behind or beside structures, with primary building entries facing the street. Encourage also the provision of direct and clearly delineated pedestrian walkways from transit stops and parking areas to building entries.

The parking lot for the subject restaurant is located behind the building and not visible from 50<sup>th</sup> Street West, which is a major highway. One of the off-site parking lots to the north of the restaurant, at Jiffy Lube, is also located behind the primary

building and is not visible from the street. The other off-site parking lot at Tire Express is buffered from the street with existing landscaping.

#### **ZONING CODE CONSISTENCY FINDINGS**

14. **PERMITTED USE IN THE ZONE.** The Hearing Officer finds that the Project is consistent with the MXD-RU zoning as the sale of alcohol at a restaurant is permitted in such zone with a CUP pursuant to County Code Section 22.24.030 (Land Use Regulations for Rural Zones). The sale of alcohol at the subject restaurant was previously authorized by CUP No. 97089 and RCUP No. 200800173.
15. **REQUIRED YARDS.** The Hearing Officer finds that the Project is consistent with the standards identified in County Code Section 22.24.040.C (Development Standards for Rural Zones). The existing restaurant was constructed in 1987 with a Site Plan Review No. PP35305 in compliance with the yard requirements applicable at the time. The current MXD-RU zone was established in 2015 and requires that where a parcel adjoins residentially or agriculturally zoned parcels, a minimum five feet is provided along the adjoining lot line. The subject parcel adjoins a residentially zoned parcel to the east, but no setback is provided along the adjoining lot line, and the existing building is considered a legal nonconforming structure due to standards.
16. **HEIGHT.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.24.040.B (Development Standards for Rural Zones) as the maximum allowed height in the MXD-RU zone 35 feet or two (2) stories, and the height of existing structure is 16 feet.
17. **LANDSCAPING.** The Hearing Officer finds that the Project is consistent with the standards identified in County Code Section 22.24.040.D (Development Standards for Rural Zones). The existing restaurant was constructed in 1987 with a Site Plan Review No. PP35305 in compliance with the development standards at the time.
18. **PARKING.** The Hearing Officer finds that with approval of the subject PKP, the Project is consistent with the requirements identified in County Code Chapters 22.112 (Parking) and 22.178 (Parking Permit). There are 16 parking spaces provided on-site, and additional 18 parking spaces will be provided at two (2) off-site locations. A total of 38 parking spaces are required for the existing restaurant, including the outdoor patio dining area, based on the parking ratio. The total number of parking spaces as required by the County Code is calculated at a parking ratio of one (1) space per three (3) persons based on an occupant load determination for indoor and outdoor dining.

The requested PKP is to provide flexibility in parking by using two (2) off-site parking facilities with a total of 18 off-site parking spaces. A total of 20 parking spaces existed prior to the construction of the outdoor patio dining area. The Expansion was constructed for temporary use during the COVID-19 pandemic in order to

accommodate customer needs and meet safety measures, which resulted in the removal of four on-site parking spaces. An occupant load of 55 persons for the Expansion was approved by the Department of Public Works. At a parking ratio of one space per three-persons, 18 additional parking spaces will be required for the Expansion. Since 20 parking spaces previously existed for the existing restaurant, a total of 38 parking spaces is required for the entire restaurant. The applicant is requesting to provide 16 parking spaces on-site in-lieu of the 38 required spaces in order to maintain the Expansion and to provide 18 additional spaces at two (2) off-site locations. The first location at an adjacent property to the north of the Project Site located at 42158 50<sup>th</sup> Street West. This location will provide eight (8) parking spaces and is currently developed with a Jiffy Lube. The hours of operation for Jiffy Lube are from 8:00 a.m. to 6:00 p.m. Monday through Saturday and from 8:00 a.m. to 5:00 pm on Sunday. The second location is at a tire shop (Tire Express) located across the street of the Project Site at 42151 50<sup>th</sup> Street West and it will provide 10 parking spaces. The hours of operation for Tire Express are from 8:00 a.m. to 5:00 p.m. with Sunday closed. The off-site parking lots will be used mostly after the hours of operation of the respective businesses since the peak hours for the restaurant are generally during the late afternoon and evening hours. Ten-year parking lease agreements signed by respective lessors will be required as part of the PKP conditions. The request meets the required findings as delineated below.

No bicycle parking space is required since the outdoor patio dining area is less than 15,000 square feet in floor area, and no bicycle parking is proposed.

19. **SCREENING.** The Hearing Officer finds that the Project is consistent with the standards identified in County Code Sections 22.24.040.G (Development Standards for Rural Zones) and 22.140.350.A.7.c (Development Standards for Mixed Use Developments in Commercial Zones). The trash containers are located at the rear of the subject property and completely screened from 50<sup>th</sup> Street, West Avenue L-13, walkways, and residences by walls and landscaping.
20. **TREE PLANTING.** The Hearing Officer finds that the Project is consistent with the standards identified in County Code Section 22.126.020 (Applicability for Tree Planting Requirements). The tree planting requirements are not applicable since the proposed expansion is less than 50 percent of the total existing building floor area.
21. **OUTDOOR DINING.** The Hearing Officer finds that the Project is consistent with the standards identified in County Code Section 22.140.410 (Outdoor Dining). There is an existing concrete wall along the eastern property line that adjoins a residentially zoned parcel. Lighting will be arranged to prevent glare or direct illumination in residential areas, and no amplified sound or music will be permitted as required in the conditions. The outdoor dining area is enclosed with four-foot-high block walls.

22. **ALCOHOLIC BEVERAGE SALES.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.140.030 (Alcoholic Beverages Sales, Additional Findings), which regulates the sale of alcoholic beverages.

### **CONDITIONAL USE FINDINGS**

23. **The Hearing Officer finds that the proposed use at the site will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.** Happy Hour Bar and Grill has been operating at this location with sale of alcoholic beverage for more than 30 years without known problems. The outdoor dining area was established during the recent pandemic to accommodate customers and has not caused any known issues. The sale of alcoholic beverages will occur within the restaurant building and the expanded outdoor patio area enclosed with four-foot-high wall along with the food service only. Additional parking at two (2) off-site locations will be provided to accommodate the requested expansion and meet parking demand during the peak hours, which are evening hours and the weekends.
24. **The Hearing Officer finds that the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.** The subject restaurant is a standalone commercial building located on an approximately 0.26-acre parcel in rural town area in Quartz Hill. The site was developed in conformance with all applicable zoning requirements through approved Site Plan Review No. PP35305. The reduced number of on-site parking spaces will be addressed by utilizing two (2) off-site parking locations that are provided at adjacent and nearby businesses through Parking Permit request to allow flexibility and to accommodate an expansion of the restaurant. The peak hours of the restaurant are during the evening hours and weekends. The off-site parking lots are located at existing business establishments either adjacent or near the restaurant, and no physical change is necessary or proposed to accommodate this arrangement. The Project as proposed will not result in any physical changes to the Project Site or to the rural town center corridor where it is located.
25. **The Hearing Officer finds that the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.** The subject restaurant is accessible from West Avenue L-13 and fronts 50<sup>th</sup> Street West. 50<sup>th</sup> Street West is mapped Major

Highway on the County Master Plan of Highways with approximately 80 feet in width and it is currently improved to accommodate the Project.

26. The Hearing Officer finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the CUP to 10 years.

**SUPPLEMENTAL FINDINGS** – ALCOHOLIC BEVERAGE SALES

27. **The Hearing Officer finds that the requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.** There is a church located within 600 feet of the property line of the Project Site to the northwest on West Avenue L-12. The restaurant will not adversely affect the use of church since the church is buffered from the subject property by a street intersection, a major highway and sidewalk, and other businesses within a rural commercial corridor. Also the peak hours for the restaurant is limited to mostly evening hours and weekends. There have not been any known problems at the subject restaurant operating at this location for over 20 years.
28. **The Hearing Officer finds that the requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity, so as not to adversely affect said area.** Happy Hour Bar and Grill was established in 1986 through an approved Site Plan Review. The parcel to the east of the subject property is currently zoned R-3 (Multi-Family Residential) and has been vacant for many years. The restaurant is buffered from nearby residential areas by streets, parking lots, and landscaping. The nearest residential lot is approximately 120 feet from the subject restaurant across West Avenue L-13. The sale of alcoholic beverages is incidental to the service of food and only occur within enclosed area. The restaurant existed at the same location for more than 20 years and has not caused any problems. As such, the subject restaurant will not generate undue burdens or nuisances to the residential area within the immediate vicinity.
29. **The Hearing Officer finds that the requested use at the proposed location will not adversely affect the economic welfare of the nearby community.** The subject restaurant was previously approved for the sale of a full-line alcoholic beverages. The proposed Project will not change the types of alcoholic beverages currently available at this establishment. The expanded outdoor patio area, which currently allow serving of alcoholic beverages, is enclosed with four-foot-high walls and a roof. The outdoor patio area is accessible to and from the sidewalk only through a gated entrance and the site is well-maintained. As such, the requested Project will not adversely affect the economic welfare of the area. Allowing the continued sale of alcoholic beverages at the restaurant may contribute to sustaining the economic activity in the rural town center that attracts local customers as well as customers from a wider geographic area.

30. **The Hearing Officer finds that the exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood, so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.** The restaurant was established in 1986 through an approved Site Plan Review. The requested Project also includes approval of an outdoor patio dining area attached to the existing restaurant building. The outdoor patio is constructed with steel-post roof and four-foot-high block walls and no other exterior changes are needed. The exterior appearance of the outdoor patio composed of steel-post construction is consistent with the exterior appearance of the existing restaurant building that is composed of earth tone concrete block with signs. The expansion and the restaurant building will not be out of character with the nearby commercial establishment within Quartz Hill Rural Town Center and the Project Site appears to be well-maintained.
31. **The Hearing Officer finds that even though the proposed sale of alcohol would occur at a site within a high crime reporting district or in an area of undue concentration, pursuant to the California Alcoholic Beverage Control Act and the regulations adopted under that Act, or that the use selling alcoholic beverages for off-site consumption is proposed within a 500-foot radius of another use selling alcoholic beverages for off-site consumption, the sale of alcohol at the subject property contributes to the public convenience or necessity.** There is another restaurant that sell beer and wine for on-site consumption and a convenience store selling beer and wine for off-site consumption within 500 feet from the property boundaries of the subject site. The subject restaurant is bona-fide eating establishment and serve alcoholic beverages incidental to the food served at the restaurants. The subject establishment is a full-service restaurant offering alcoholic beverages incidentally to food consumption. The on-site consumption of alcoholic beverages is concentrated in the vicinity due to clustered commercial developments along 50<sup>th</sup> Street West and the rural commercial center. The rural commercial centers with numerous retail and restaurants intend to serve the customers from the Quartz Hill community and the nearby communities. The continued sale of alcoholic beverages at established restaurants such as Happy Hour Bar and Grill are necessary to provide dining options to customers who visit other retail or service businesses in the vicinity and the subject restaurant is conveniently located within a designated commercial corridor in an established community.
32. **The Hearing Officer finds that the subject use will maintain the aesthetic character and ambiance and enhances the economic viability of the area.** The subject restaurant is part of a rural town center for the community of Quartz Hill and was developed with consistent architectural features. The buildings and site are maintained in a professional manner, including the parking spaces and landscaping, and its continued operation is necessary to maintain the economic viability of the rural town center corridor.

### **PARKING PERMIT FINDINGS**

33. **The Hearing Officer finds that there is a need for the number of vehicle parking spaces required by Chapter 22.178 (Parking).** The minimum required parking spaces for the restaurant is 38 based on the occupancy load determination for both the existing restaurant building and the outdoor patio dining area. Four (4) parking spaces were removed due to the outdoor patio dining area construction, and 16 on-site parking spaces will continue to be provided. Two (2) off-site parking lots adjacent to the subject restaurant will be available, with a total 18 parking spaces. With the parking spaces available at the off-site parking lots, it is considered sufficient for the business because the business is located in a rural commercial center with relatively low density and low traffic compared to more urbanized area. During the daytime, the restaurant opens at 11:00 a.m. and the on-site parking lot provides sufficient number of parking spaces. The restaurant's peak hours are normally during the late afternoon and evening hours, during which the number of customers is approximately 50 on average and they stay for longer periods of time. Due to its location to nearby residential development and proximity to other commercial developments, some customers may travel on foot, which helps reduce the need for additional parking spaces.
34. **The Hearing Officer finds that there are no conflicts arising from special parking arrangements allowing shared vehicle parking facilities, tandem spaces, or compact spaces.** In addition to the existing 16 on-site parking spaces, two (2) off-site parking lots will be available for the customers and employees of the subject restaurant. The off-site parking lots are immediately adjacent to the subject lot, one directly to the north and the other across 50<sup>th</sup> Street West. The subject restaurant peak hours are normally during and after dinner and will not overlap with the hours of operation of the businesses sharing the off-site parking facilities and therefore no significant conflicts are anticipated from the parking lease arrangements. Additionally, both businesses leasing the parking lots are also located along the rural commercial center and directly accessible from 50<sup>th</sup> Street West.
35. **The Hearing Officer finds that off-site facilities, leases of less than 20 years, rear lot transitional parking lots, and uncovered residential vehicle parking spaces will provide the required parking for uses.** The applicant will provide parking lease agreement of less than 20 years signed by the respective lessor stating that the parking lot will be available for use by the subject restaurant.
36. **The Hearing Officer finds that the requested Parking Permit at the location proposed will not result in traffic congestion, excessive off-site parking, or unauthorized use of parking facilities developed to serve surrounding property.** The restaurant is located in a rural town center where traffic volume is relatively low compared to urbanized areas or other major commercial centers. It is also served by an existing major highway, which is sufficient for a rural commercial corridor. The on-

site and off-site parking lots will be closely monitored by the business management. Due to the location of the business in rural town center, most of the customers are from the towns nearby and it is not anticipated to increase a significant amount of traffic or number of customers. Additionally, the off-site parking lots are specifically designated at two (2) stand-alone business establishments where parking lots are either located behind the building or buffered from the street by landscaping. Therefore, traffic congestion or excessive on-street parking is not likely to be generated. The community in the immediate vicinity is well-maintained rural commercial corridors and residential development, and there are no major commercial developments that would interfere with the proposed parking arrangements or parking reduction.

37. **The Hearing Officer finds that the proposed site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping, and other development features prescribed in this Title 22.** The Project Site was developed according to the previous approval and is of adequate size and shape to accommodate the existing business. The 2,120-square-foot restaurant was developed according to previous approval, and the 824-square-foot outdoor dining area was expanded to provide additional space during the recent COVID-19 pandemic. The applicant proposes to maintain the outdoor patio as a permanent outdoor dining area to accommodate changes caused by pandemic. The restaurant is buffered to the residential areas with walls, landscaping, parking lot, and streets. The outdoor patio area proposed for retroactive authorization is in compliance with Title 22 and no development standards other than parking is required or proposed.
38. **The Hearing Officer finds that due to the nature of the use that tend to have reduced occupancy and its location within an existing residential development, no grant term is required for the Parking Permit.** The applicant proposes off-site parking lots with a 10-year lease agreement. Therefore, a grant term equivalent to the lease agreement is deemed necessary for the PKP and the CUP.

### **ENVIRONMENTAL FINDINGS**

39. The Hearing Officer finds that the Project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines sections 15301 (Class 1, Existing Facilities) and 15305 (Class 5, Minor Alterations in Land Use Limitations) categorical exemptions. The Project involves the continued sale of alcoholic beverages at an existing restaurant and to allow reduced and off-site parking to accommodate an existing expansion. The outdoor patio expansion is within a developed site and will not have a significant impact on the environment. No exceptions to the categorical exemptions apply to the Project per section 15300.2 of the California Code of Regulations. The Project is not located within or near any sensitive environment, historical resources, hazardous waste site, or dedicated scenic drive. It is not

reasonably possible for the Project to have a significant effect on the environment due to unusual circumstances. There are no exceptions to the exemption that apply to the Project and therefore a categorical exemption is appropriate.

#### **ADMINISTRATIVE FINDINGS**

**40. HEARING PROCEEDINGS.** *Reserved.*

**41. LEGAL NOTIFICATION.** The Hearing Officer finds that pursuant to Sections 22.222.120 and 22.222.150 of the County Code, the community was properly notified of the public hearing by mail, and newspapers The Signal and La Opinion, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website. On May 12, 2022, a total of 181 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, as well as 14 notices to those on the courtesy mailing list for the Quartz Hill Zoned District and to any additional interested parties.

**42. LOCATION OF DOCUMENTS.** The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the North County Development Services Section, Department of Regional Planning.

#### **BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:**

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

Regarding the CUP for Alcoholic Beverage Sales:

- E. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity, so as not to adversely affect said area.
- F. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.
- G. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity, so as not to adversely affect said area.
- H. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community.
- I. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood, so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.
- J. Even though the proposed sale of alcohol would occur at a site within a high crime reporting district or in an area of undue concentration, pursuant to the California Alcoholic Beverage Control Act and the regulations adopted under that Act, or that the use selling alcoholic beverages for off-site consumption is proposed within a 500-foot radius of another use selling alcoholic beverages for off-site consumption, the sale of alcohol at the subject property contributes to the public convenience or necessity.

Regarding the Parking Permit:

- K. There is no need for the number of vehicle parking spaces required by Chapter 22.112 (Parking) because of the nature of the use is such that there is a reduced occupancy.
- L. There are no conflicts arising from special parking arrangements allowing shared vehicle parking facilities, tandem spaces, or compact spaces.
- M. The proposed use has two (2) off-site facilities and no rear lot transitional parking lots or uncovered residential vehicle parking spaces which will provide the required parking.

- N. The requested Parking Permit at the location proposed will not result in traffic congestion, excessive off-site parking, or unauthorized use of parking facilities developed to serve surrounding property.
- O. The project site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping, and other development features.

**THEREFORE, THE HEARING OFFICER:**

- 1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines sections 15301 (Class 1, Existing Facilities categorical exemption) and 15305 (Class 5, Minor Alterations in Land Use Limitations categorical exemption); and
- 2. Approves **CONDITIONAL USE PERMIT NO. RPPL2019005538** and **PARKING PERMIT NO. RPPL2021003788**, subject to the attached conditions.

**ACTION DATE: June 21, 2022**

SD:SC

June 9, 2022

c: Hearing Officer, Zoning Enforcement, Building and Safety

**LOS ANGELES COUNTY  
DEPARTMENT OF REGIONAL PLANNING**

**DRAFT CONDITIONS OF APPROVAL  
PROJECT NO. 2019-003155-(5)  
CONDITIONAL USE PERMIT NO. RPPL2020008579  
PARKING PERMIT NO. RPPL2021003788**

**PROJECT DESCRIPTION**

The project is to authorize the continued sale of full-line alcoholic beverages for on-site consumption (Type 47 License) at an existing restaurant, Happy Hour Bar and Grill, and authorize a reduction in the required number of on-site parking spaces from 38 to 16 and two (2) off-site parking facilities for a total of 18 additional parking spaces in conjunction with retroactive approval of an existing 824-square-foot outdoor patio dining area on a property located at 42142 50<sup>th</sup> Street West in the MXD-RU (Rural Mixed-Use Development) Zone, subject to the following conditions of approval:

**GENERAL CONDITIONS**

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 6, and until all required monies have been paid pursuant to Condition No. 9. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 3, 4, and 8 shall be effective immediately upon the date of final approval of this grant by the County.
3. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
4. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs

and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel. If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

5. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
6. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
7. **This grant shall terminate on June 21, 2032.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
8. This grant shall expire unless used within ninety (90) days from the date of final approval of the grant. A single thirty (30) day time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. For the purposes of this provision, the continued sale of alcoholic beverages and satisfaction of Condition No. 2 shall be considered use of this grant.
9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable

to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. No provision of any easement of any other encumbrance on the property shall exempt the permittee and/or property owner from compliance with these conditions and applicable regulations. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum **\$1,000.00**, which shall be placed in a performance fund and be used exclusively to reimburse Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of this grant. The fund provides for **five (5)** inspections. Inspections may be unannounced and may be conducted utilizing any available technologies, including, but not limited to, unmanned aircraft systems (UAS).

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost established by Regional Planning at the time any additional inspections are required, whichever is greater.

10. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.238 of the County Code.
11. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Department.
12. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
13. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").

14. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
15. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 48 hours of such notification, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

16. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **a digital copy** of a modified Exhibit "A" shall be submitted to Regional Planning by **August 21, 2022**.
17. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **a digital copy** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.
18. The conditions of this grant shall always be retained on the premises and shall be immediately produced upon request by any County Sheriff, County Zoning Enforcement inspector, or State of California Department of Alcoholic Beverage Control agent. The manager and all employees of the facility shall be knowledgeable of the conditions herein. Violation of the conditions herein may subject the use to the provisions of County Code Chapter 22.238 (Modifications and Revocations)

**PERMIT-SPECIFIC CONDITIONS - CONDITIONAL USE PERMIT (SALE OF ALCOHOLIC BEVERAGES)**

19. This grant authorizes the continued sale of full-line alcoholic beverages for on-site consumption at an existing restaurant, Happy Hour Bar and Grill, as depicted on the Exhibit "A".
20. The conditions of this grant shall always be retained on the premises and shall be immediately produced upon request of any County Sheriff, Regional Planning staff, or State of California Department of Alcoholic Beverage Control ("ABC") agent. The manager and all employees of the facility shall be knowledgeable of the conditions

herein. Violation of the conditions herein may subject the use to the provisions of County Code Chapter 22.238 (Modifications and Revocations).

21. Loitering, including loitering by employees of the subject property, shall be prohibited on or within the immediate vicinity of the subject property, including adjacent public and private parking lots, public sidewalks, alleys, and other public rights-of-way. Signage in compliance with County Code Chapter 22.114 (Signs) shall be placed on the exterior of the premises indicating said prohibition. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary. If loitering occurs on a continuous basis, as determined by the County Sheriff, a security guard shall be required during business hours at the discretion of the Director.
22. All employees who directly serve or are in the practice of selling alcoholic beverages, including managers and security personnel, shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program provided by ABC, or a similar program, such as STAR (Standardized Training for Alcohol Retailers) or another comparable State of California-certified program. All new designated employees shall be required to attend. The licensee shall display a certificate or plaque in a publicly accessible area of the establishment, such as the lobby, indicated they have participated in this program. Proof of completion of the facility's training program by employees, the licensee, and all managers shall be provided to Regional Planning Zoning Enforcement upon request or within 90 days of the effective date of this Conditional Use Permit, and subsequently within 90 days of the hire date of all new employees and/or managers.
23. The permittee and all managers and employees shall not allow the sale of alcoholic beverages to any intoxicated person, any person appearing to be intoxicated, or any person exhibiting behaviors associated with being intoxicated.
24. The permittee shall not advertise the sale of alcoholic beverages on the exterior of any structure on the subject property, including windows, walls, fences or similar structures, or within any portion of the interior of any structure that is visible from the outside.
25. Alcoholic beverages shall only be sold or served to patrons age 21 or older.
26. The permittee shall post the telephone numbers of local law enforcement agencies and shall post the telephone numbers of taxicab companies or a sign promoting ridesharing options, at or near the cashier or within a similar public service area. Such telephone numbers shall be visible by, and available to, the public.
27. The permittee shall provide adequate exterior lighting above all entrances and exits to the premises and in all public and private parking lots and walkways under control of the permittee or required as a condition of this grant. All exterior lighting required by this grant shall be of sufficient power to illuminate and make easily discernable

the appearance and conduct of all persons within lighted areas during operating hours and shall be designed to direct light and glare only onto the premises. All exterior lighting by this grant shall also be hooded and directed away from neighboring residences to prevent direct illumination and glare, shall comply with County Code Chapter 22.80 (Rural Outdoor Lighting District) if applicable, and shall be turned off within 30 minutes after conclusion of activities, except for sensor-activated security lights and/or low-level lighting along all pedestrian walkways leading to and from public and private parking lots.

28. A numbering address sign, in compliance with County Code Chapter 22.114 (Signs), shall be located at the front of the building in a location clearly visible from the property grounds and the nearest public street to the satisfaction of the Director.
29. The premises, including exterior facades, adjacent public and private parking lots, fences, and adjacent sidewalks, alleys, and other public rights-of-way, shall be maintained in a neat and orderly condition and be free of garbage, trash, debris, or junk and salvage, except in designated trash collection containers and enclosures. All garbage, trash, debris, or junk and salvage shall be collected, and disposed of, daily.
30. The permittee shall maintain active and functional surveillance recording equipment which captures video recordings of adjacent public and private parking lots, public sidewalks, alleys, and other public rights-of-way on a continuous loop. Recordings shall be retained for a minimum of 30 days and shall be immediately produced upon request of any County Sheriff or Regional Planning Zoning Enforcement Inspector.
31. This grant authorizes the sale of alcoholic beverages for on-site consumption from 11:00 a.m. to 10:00 p.m. Monday through Sunday.
32. There shall be no consumption of alcoholic beverages outside the designated dining areas of the subject facility, as depicted on the site and floor plans labeled Exhibit "A." The permittee shall instruct all designated employees, who directly serve or are in the practice of selling alcoholic beverages, regarding this restriction. Employees shall be instructed to enforce such restrictions and to call local law enforcement as necessary.
33. The permittee shall develop and implement a Designated Driver program (e.g. free soft drinks or coffee to a designated driver of a group). A printed two-side card explaining this program shall be placed on all tables in the facility or an explanation regarding this program shall be printed on the menu.
34. Music or other audible noise at the premises shall comply with Title 12 of the County Code to the satisfaction of the County Department of Public Health.
35. No live entertainment, dancing, or dance floor is authorized in or outside the premises.

36. Employees age 18 or older may serve alcoholic beverages in an area primarily designed and used for the sale and service of food for consumption on the premises as an incidental part of their overall duties.
37. Alcoholic beverages shall be sold to customers and served by employees only when food is ordered and consumed within the subject restaurant and the outdoor dining area only.
38. The sale and serving of alcoholic beverages for consumption is prohibited outside the designated dining areas of the restaurant, including the outdoor dining area, as depicted on the site and floor plans labeled Exhibit "A." The business shall employ not less than one full-time cook that is engaged in the preparation of meals for patrons during the permissible hours of operation.
39. Food service shall be continuously provided during operating hours.
40. The overall occupant load for the establishment, and number of persons admitted to the establishment, may not exceed 120. Any increase to the building area or the occupant load or any change to the parking layout shall require Regional Planning approval of a Revised Exhibit "A".

**PERMIT-SPECIFIC CONDITIONS – PARKING PERMIT**

41. The permittee shall provide not less than 16 on-site parking spaces in lieu of 38 required parking spaces, and two (2) off-site parking lots for a total of 18 additional parking spaces as depicted on the Exhibit "A". Off-site parking lots shall be within 400 feet from the entrance of the restaurant.
42. Directions to off-site parking lots shall be clearly posted at the restaurant.
43. The permittee shall guarantee that the leased spaces provided at two (2) designated off-site parking lots are available for Happy Hour Bar and Grill. The permittee shall also ensure the following:
  - a. The lease and covenant shall be recorded for both the Project site and the off-site parking lots along with the terms and conditions of the grant.
  - b. The lease should be written in a way as to prevent multiple leasing of the same spaces or cancellation without providing alternate spaces.
  - c. The permittee shall demonstrate that the required number of spaces can be provided if the lease is cancelled or terminated, or shall be required to submit a Parking Permit request prior to the lease cancellation or termination.
  - d. A copy of the lease agreement shall be submitted to the Director and County Counsel for review and approval.
  - e. Title reports, covenants, and bonding may also be imposed where necessary to insure the continued availability of leased parking spaces.

44. In the event that the permittee and/or property owner is unable to comply with the conditions associated with the Parking Permit, the modifications granted by this Parking Permit shall be terminated unless some other alternative method to provide the required parking spaces is approved by the Director.



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



## ALCOHOLIC BEVERAGE SALES FINDINGS

In addition to the Conditional Use Permit Findings required pursuant to Section 22.158.050 (Findings and Conditions), pursuant to Section 22.140.030 (Alcoholic Beverage Sales), the applicant shall substantiate the following:

*(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)*

ABC License Type Requested(s): _____ (e.g. Type 20, Type 41)
F.1.a. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.
The previous use of the facility was a bar/restaurant. It had closed down and was vacant for 19 months. We are re-opening business under different name
F.1.b. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity, so as not to adversely affect said area.
The existing business is more than 200 ft away from existing residence
The current zoning for the property MXD-RU
F.1.c. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community.
The current business along 50 <sup>th</sup> Street West are well established with office, retail, and restaurants
F.1.d. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood, so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.
The current exterior elevation is concrete block material painted in complementing colors of adjacent businesses

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### Additional findings of public convenience or necessity.

Findings of public convenience or necessity, in accordance with Section 22.140.030.F.2.a, shall be made when:

- i. The requested use is located in a high crime reporting district or in an area of undue concentration, pursuant to the California Alcoholic Beverage Control Act and the regulations adopted under that Act; or
- ii. A use selling alcoholic beverages for off-site consumption is proposed within a 500-foot radius of another use selling alcoholic beverages for off-site consumption.

Findings of public convenience or necessity shall be based upon review and consideration of relevant factors, which shall include, in accordance with Section 22.140.030.F.2.b, but not be limited to, the following, as applicable:

- i. The extent to which the requested use would duplicate services and, therefore, contribute to an over-concentration of similar uses.
- ii. The extent to which alcoholic beverage sales are related to the function of the requested use, and the possibility of the use operating in a viable manner without alcohol sales.
- iii. The extent to which the requested use will enhance the economic viability of the area.
- iiii. The extent to which the requested use will enhance recreational or entertainment opportunities in the area.
- v. The extent to which the requested use compliments the established or proposed businesses within a specific area.
- vi. The ability of the requested use to serve a portion of the market not served by other uses in the area.

- vii. The convenience of purchasing alcoholic beverages at the requested use in conjunction with other specialty food sales or services.
- viii. The aesthetic character and ambiance of the requested use.
- ix. The extent to which the requested use, location, and/or operator has a history of law enforcement problems.

The several restaurants serving alcohol within 500 ft of project location

**Additional findings for a modification request to the shelf space limitations.**

For a request to modify the shelf space limitation pursuant to Section 22.140.030.E.1, the applicant shall address at least one of the findings, in accordance with Section 22.140.030.F.3.b, below:

- i. The requested use is not located in a high crime reporting district, as described in the California Alcoholic Beverage Control Act and the regulations adopted under that Act;
- ii. The requested use is a specialty retailer with a unique product mix that requires a greater allocation of shelf space to alcoholic beverages than would be the case for a general purpose retailer; or
- iii. The requested use involves the relocation of a use that was not previously subject to the alcoholic beverage shelf space limitation provided in Section 22.140.030.E.1, above, and the new location will allocate less shelf space to alcoholic beverages than was the case at the previous location.

**Additional findings for a modification request to requirement to carry a minimum of three varieties of fresh produce.**

For a request to modify the requirement to carry a minimum of three varieties of fresh produce pursuant to Section 22.140.030.E.2, the applicant shall address the findings, in accordance with Section 22.140.030.F.3.b, below:

- i. The requested use is not a general purpose retailer and is located in an area with sufficient access to fresh produce and whole grains.

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# Los Angeles County Department of Regional Planning



*Planning for the Challenges Ahead*

## CONDITIONAL USE PERMIT FINDINGS

Pursuant to Section 22.158.050 (Findings and Conditions), the applicant shall substantiate the following:

*(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)*

B.1	The proposed use will be consistent with the adopted General Plan for the area.
50 <sup>th</sup> Street West is a major throughfare for Quartz Hill. Businesses along 50 <sup>th</sup> Street serve the community with different types of businesses. happy hours bar & grill will serve this community providing food and drink for the residents. the general plan along 50 <sup>th</sup> street west is to provide the community with commercial centers including restaurants, retail, and general services.	
B.2	The requested use at the location proposed will not: <ul style="list-style-type: none"><li>a. Adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area;</li><li>b. Be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and</li><li>c. Jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.</li></ul>
The location along 50 <sup>th</sup> Street West provide numerous commercial centers with businesses that serve the community. there are several restaurants along 50 <sup>th</sup> street west some serve alcohol and some are the quick serve type. the residents of the area will have benefit of having happy hours bar & grill located near them with the encouragement of walking to business. public health and safety will be afforded along 50 <sup>th</sup> street with the reduced speed limit through town. sheriff's station is located across the street. the fire station is 1-block away	
B.3	The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
The existing building was built in 1990 and is complementary to neighborhood design. the site plan and building development were built in conformance with regional planning requirements and the county's building code..	

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<p>B.4 The proposed site is adequately served:</p> <ul style="list-style-type: none"><li>a. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate; and</li><li>b. By other public or private service facilities as are required.</li></ul>
50 <sup>th</sup> Street West is a major throughfare with commercial vehicles and automobiles.
it is also the main bus route for the antelope valley transportation authority



# Los Angeles County Department of Regional Planning



*Planning for the Challenges Ahead*

## PARKING PERMIT FINDINGS

Pursuant to Section 22.178.050 (Findings and Conditions), the applicant shall substantiate the following:




*(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)*

- B.1 There is no need for the number of vehicle parking spaces required by Chapter 22.112 (Parking) because of any of the following:
- a. The age and/or physical condition of the residents is such that the use of automobiles is unlikely.
  - b. The nature of the use is such that there is a reduced occupancy.
  - c. The business or use has established a viable transportation program for its employees and/or customers to use transportation modes other than the single-occupant automobile. Such a program shall include positive incentives such as van pools, transit fare subsidies, commuter travel allowances, car pools, or bicycle commuter facilities. Where appropriate, proximity to freeways with high-occupancy vehicle (HOV) lanes, bus routes, park-and-ride facilities, people-movers, rapid transit stations, bikeways, or other similar facilities shall be a factor in this consideration.
  - d. Sufficient land area is reserved or an alternative arrangement is approved to insure that the parking requirements may be complied with should the use, occupancy, or transportation program change. Such reservation or alternative may be waived for certain housing developments for senior citizens and persons with disabilities, where the Commission or Hearing Officer finds that it is unnecessary because of the anticipated permanent nature of such use. If required, the reserved land area shall be so located and developed in such a manner that it can be feasibly converted to parking if needed.
  - e. The reduction in the number of vehicle parking spaces will be offset by the provision of bicycle parking spaces, at a minimum ratio of two bicycle spaces for every one vehicle parking space above the minimum number of bicycle parking spaces otherwise required under Section 22.112.100 (Bicycle Parking Spaces and Related Facilities).

WE WILL BE SHARING ADJACENT BUSINESSES PARKING  
CAPACITY. SINCE MOST OF OUR BUSINESS IS  
CONDUCTED IN THE EVENING ADJACENT BUSINESSES  
ARE ALREADY CLOSED FOR THE DAY

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- B.2 There are no conflicts arising from special parking arrangements allowing shared vehicle parking facilities, tandem spaces, or compact spaces because:
- a. Uses sharing parking facilities operate at different times of the day or days of the week;
  - b. Parking facilities using tandem spaces will employ valets or will utilize other means to insure a workable plan; or
  - c. Apartment houses using compact spaces for a portion of the required parking have a management program or homeowners' association to assure an efficient distribution of all parking spaces.
- b. Be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and
- c. Jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.

MANY ADJACENT BUSINESSES CLOSE AT 5 PM

- B.3 Off-site facilities, leases of less than 20 years, rear lot transitional parking lots, and uncovered residential vehicle parking spaces will provide the required parking for uses because:
- a. Such off-site facilities are controlled through ownership, leasing or other arrangement by the owner of the use for which the site serves and are conveniently accessible to the main use;
  - b. Such leases are written in such a way as to prevent multiple leasing of the same spaces or cancellation without providing alternate spaces; such leases shall contain other guarantees assuring continued availability of the spaces;
  - c. Such transitional lots are designed to minimize adverse effects on surrounding properties; or
  - d. Uncovered parking for low and moderate income residential developments will be appropriately screened and compatible with the surrounding neighborhood.

PARKING AGREEMENT

B.4 The requested Parking Permit at the location proposed will not result in traffic congestion, excessive off-site parking, or unauthorized use of parking facilities developed to serve surrounding property.

MAIN ACCESS IS MAIN THROUGHFARE FOR QUARTZ  
HILL. EXISTING SPEED LIMIT SLOWS DOWN  
TRAFFIC FOR RESIDENTS AND CUSTOMERS TO  
SAFELY NAVIGATE STREETS

B.5 The proposed site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping, and other development features prescribed in this Title 22.

EXISTING BUILDING MEETS CURRENT ZONING REQUIREMENTS  
EXISTING BUILDING IS PERMITTED WITH BUILDING  
AND SAFETY. EXISTING BUSINESS IS PERMITTED  
WITH PUBLIC HEALTH ENVIRONMENTAL HEALTH



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Amy J. Bodek, AICP  
Director of Regional Planning

Dennis Slavin  
Chief Deputy Director,  
Regional Planning

**PROPOSED ENVIRONMENTAL DETERMINATION**

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DETERMINATION DATE:	June 21, 2022
PROJECT NUMBER:	2019-001359-(5)
PERMIT NUMBER(S):	Conditional Use Permit ("CUP") No. RPPL2019005538 Parking Permit No. RPPL2021003788
SUPERVISORIAL DISTRICT:	5
PROJECT LOCATION:	42142 50 <sup>th</sup> Street W., Quartz Hill, CA 93536
OWNER:	Anthony Ling
APPLICANT:	Nicholas Jones
CASE PLANNER:	Soyeon Choi, Senior Regional Planner schoi@planning.lacounty.gov

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Los Angeles County ("County") completed an initial review for the above-mentioned project. Based on examination of the project proposal and the supporting information included in the application, the County proposes that an Exemption is the appropriate environmental documentation under the California Environmental Quality Act (CEQA). The project qualifies as Class 1, Existing Facilities Categorical Exemption and Class 5, Minor Alterations to Land Use Limitations Categorical Exemptions under State CEQA Guidelines Sections 15301 and 15305 because the Project involves the continued sale of alcoholic beverages in an existing restaurant and a reduction in the required number of on-site parking spaces and provision of two off-site parking lots in conjunction with a retroactive authorization of an existing outdoor patio dining area for an existing business. The outdoor patio expansion is within developed land and will not have a significant impact on the environment. No exceptions to the categorical exemptions apply to the Project per section 15300.2 of the California Code of Regulations. The Project is not located within or near any sensitive environment, historical resources, hazardous waste site, or dedicated scenic drive. It is not reasonably possible for the Project to have a significant effect on the environment due to unusual circumstances. There are no exceptions to the exemption that apply to the Project and therefore a categorical exemption is appropriate.



## AERIAL IMAGERY

### SITE-SPECIFIC MAP

PROJECT NO. 2019-003159

ALCOHOL CUP RPPL2019005538

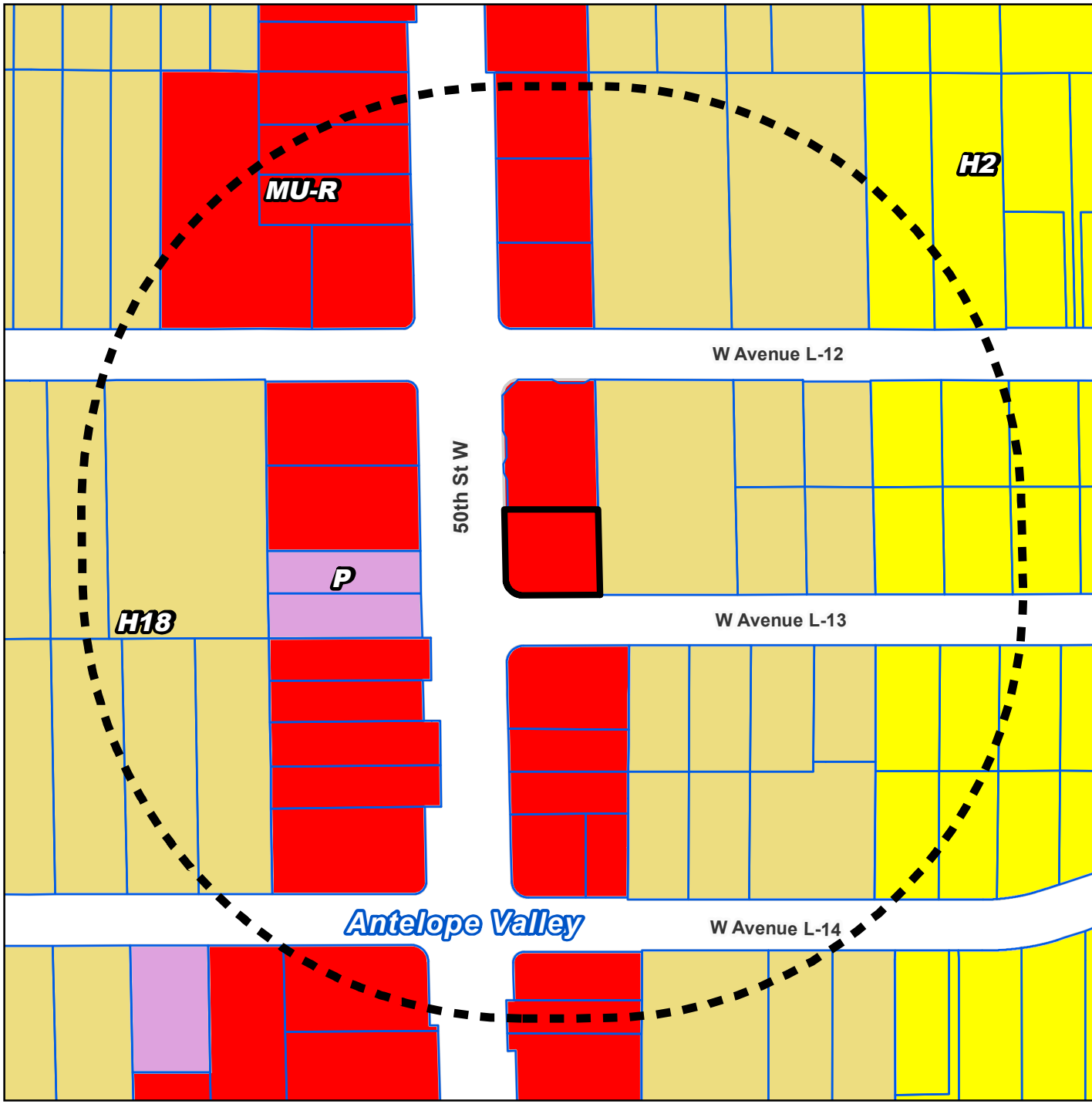
PARKING PERMIT RPPL2021003788

Digital Ortho Aerial Imagery:  
Los Angeles Region Imagery  
Acquisition Consortium (LARIAC)  
2020

Feet  
0 80



LOS ANGELES COUNTY  
Dept. of Regional Planning  
320 W. Temple Street  
Los Angeles, CA 90012







# LAND USE POLICY

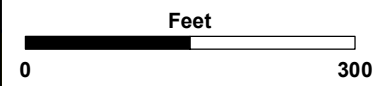
## 500-FOOT RADIUS MAP

PROJECT NO. 2019-003159

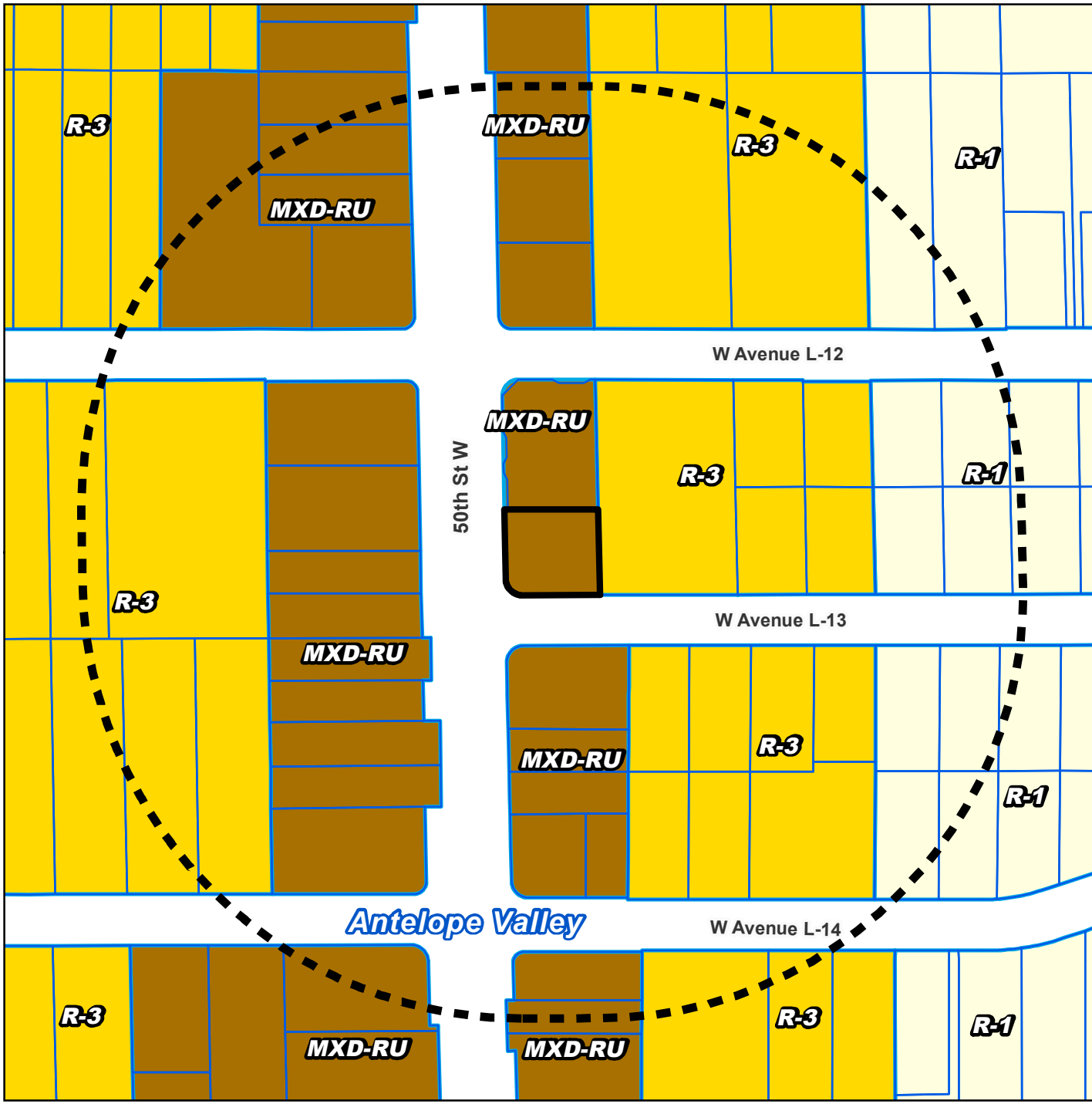
ALCOHOL CUP RPPL2019005538

PARKING PERMIT RPPL2021003788

-  H2 - Residential 2 (0-2 du / net ac)
-  H18 - Residential 18 (9-18 du / net ac)
-  MU-R - Mixed Use - Rural
-  P - Public and Semi-Public



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# ZONING

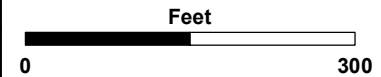
## 500-FOOT RADIUS MAP

PROJECT NO. 2019-003159

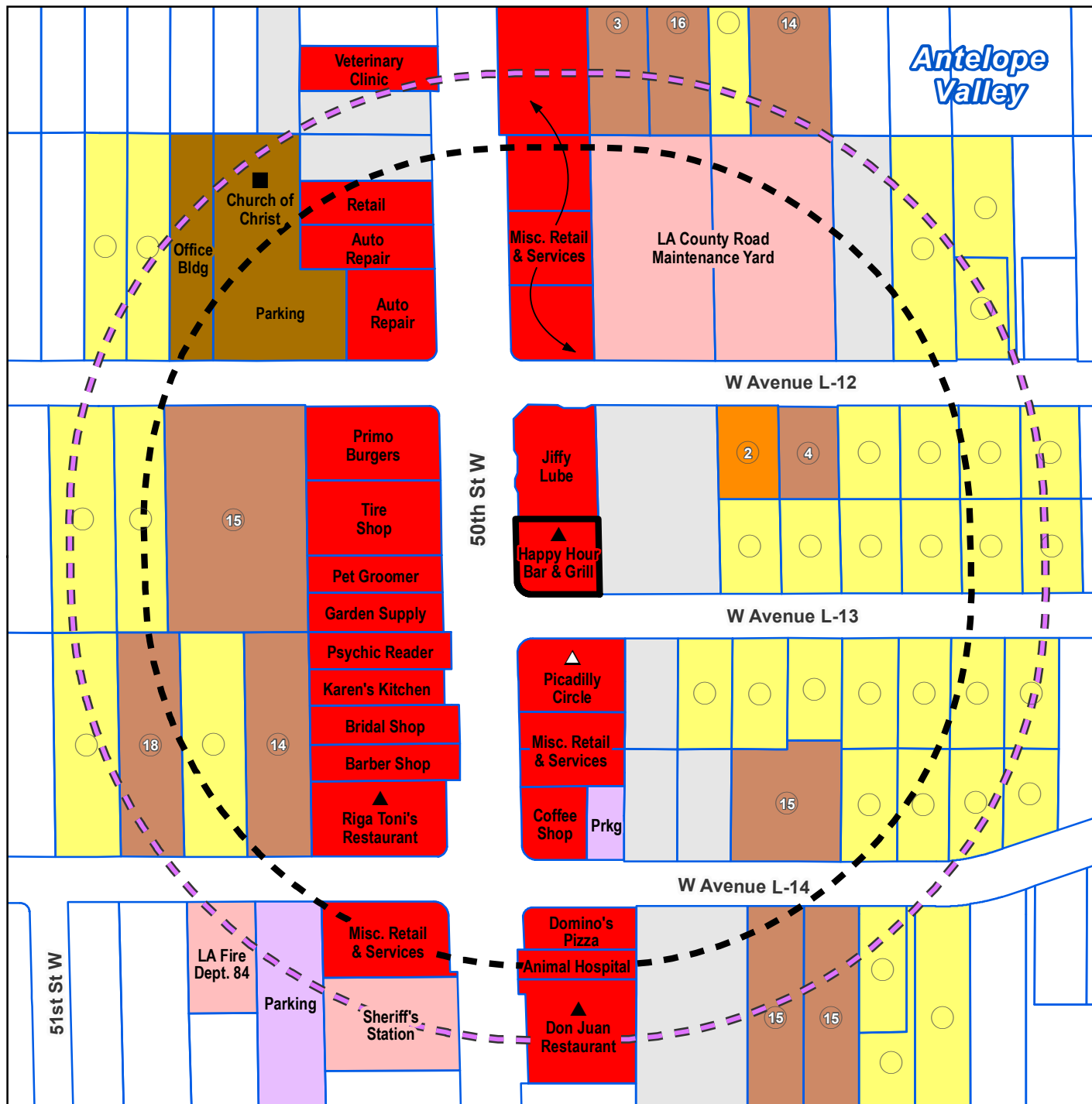
ALCOHOL CUP RPPL2019005538

PARKING PERMIT RPPL2021003788

-  R-1 - Single-Family Residence
-  R-3-()U - Limited Density Multiple Residence
-  MXD-RU - Rural Mixed Use Development



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Los Angeles, CA 90012



# EXISTING LAND USE

## 500-FOOT RADIUS MAP

PROJECT NO. 2019-003159

ALCOHOL CUP RPPL2019005538

PARKING PERMIT RPPL2021003788

△ Offsite Alcohol Consumption

▲ Onsite Alcohol Consumption

■ Sensitive Use

600-ft ABC Radius

500-ft Standard Radius

Existing Land Use (Assessor Use Codes)

Commercial

Government

Institutional

Miscellaneous

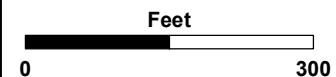
Residential - Single Unit\*

Residential - Two Units\*

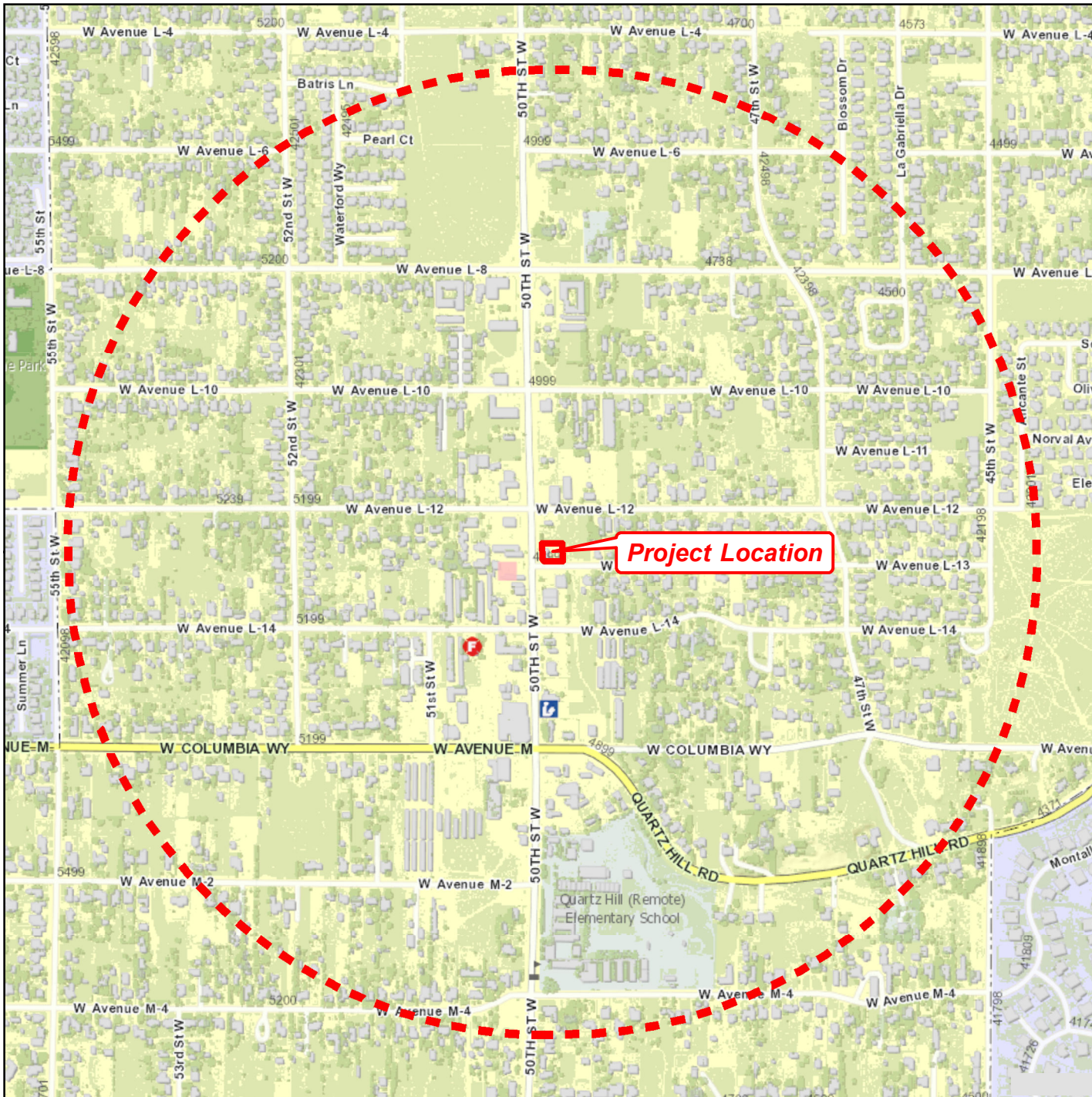
Residential - Multi-Unit\*

Vacant

\* Circles are generally applied to residential parcels. Empty circles indicate a single dwelling unit (DU), unless the parcel is symbolized as Vacant. Elsewhere, multi-unit residential parcels (where shown) are labeled with the number of DUs they contain.



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# HALF-MILE RADIUS

## LOCATOR MAP

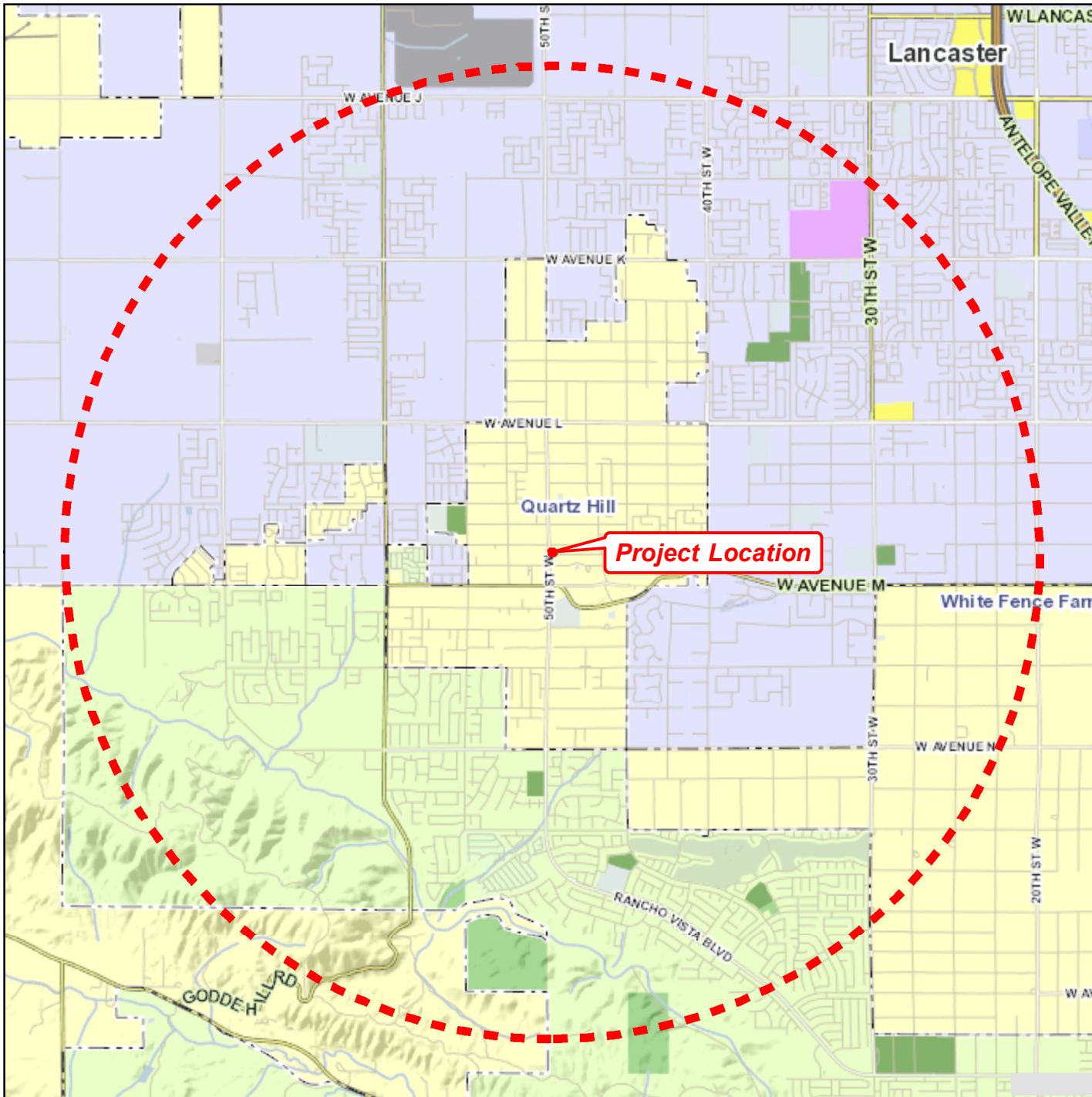
PROJECT NO. 2019-003159  
ALCOHOL CUP RPPL2019005538  
PARKING PERMIT RPPL2021003788



0 0.25 Miles

N

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# 3-MILE RADIUS

## LOCATOR MAP

PROJECT NO. 2019-003159

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Dept. of Regional Planning  
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Los Angeles, CA 90012

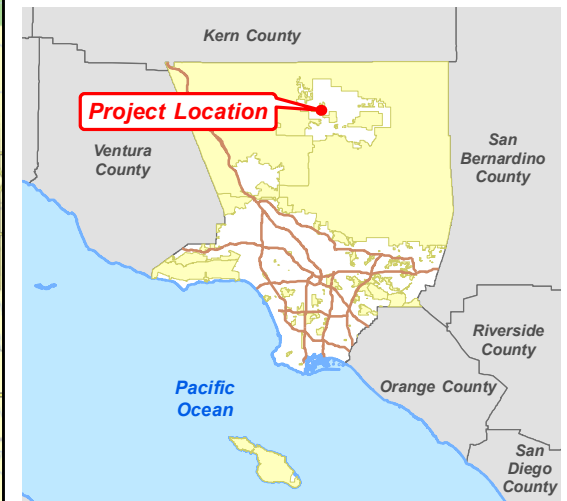
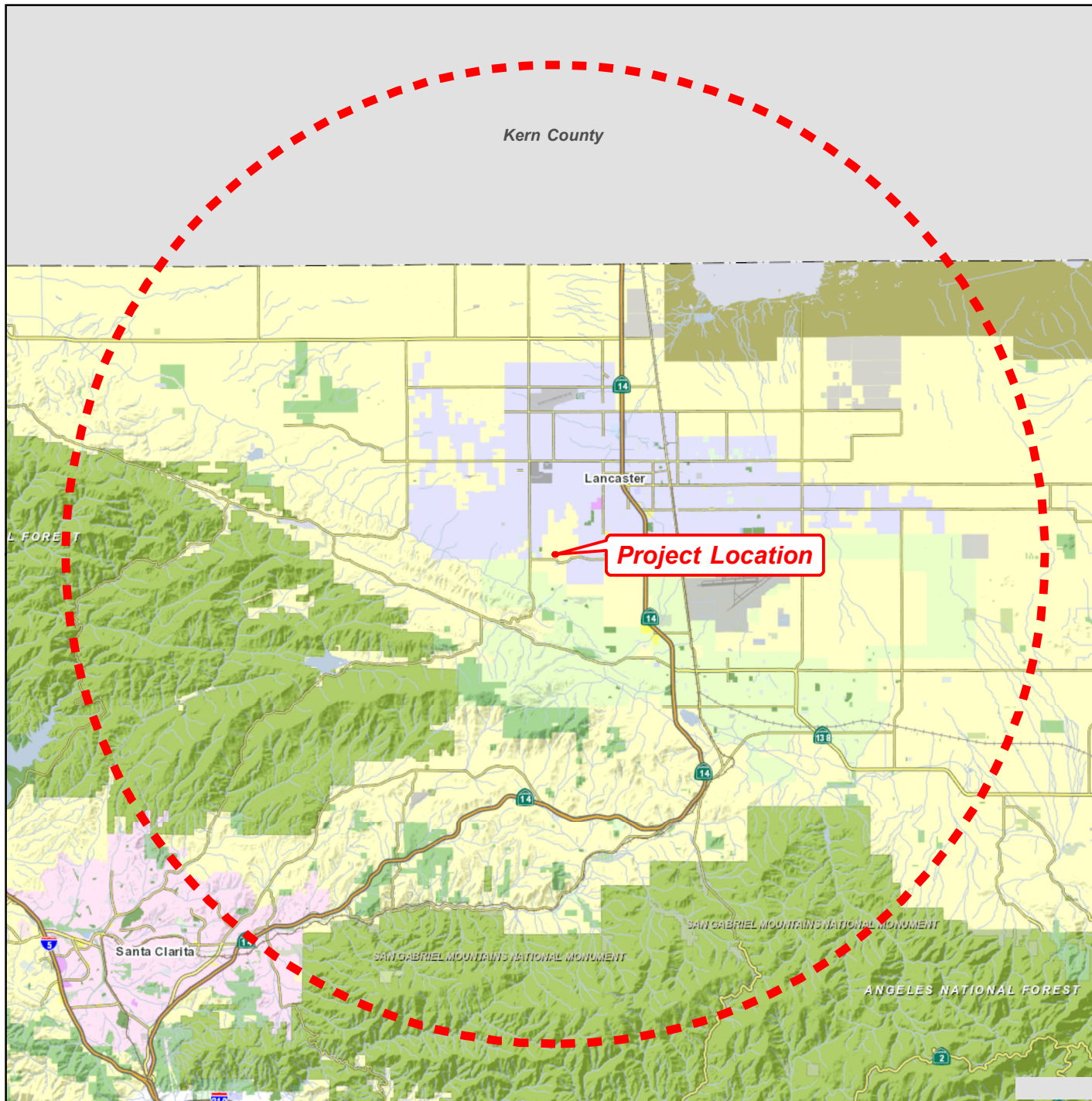
# 20-MILE RADIUS

## LOCATOR MAP

PROJECT NO. 2019-003159

ALCOHOL CUP RPPL2019005538

PARKING PERMIT RPPL2021003788



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320 W. Temple Street  
Los Angeles, CA 90012













# OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE



February 23, 2022

ALEX VILLANUEVA, SHERIFF

Mr. Richard Claghorn  
Los Angeles County Department of Regional Planning  
320 West Temple Street, Room 1348  
Los Angeles, CA 90012

Dear Mr. Claghorn:

We received your request for information regarding the referenced application.

Conditional Use Permit (CUP) Consultation for Sale of Alcohol  
Project No.: 2019-003159  
CUP Permit No.: CUP RPPL2019005538  
Happy Hour Bar and Grill  
42142 50<sup>th</sup> Street West  
Quartz Hill, California 93536

We are pleased to provide the following information:

The Sheriff's Department has responded to thirty-one calls for service at Happy Hour Bar and Grill, 42142 50<sup>th</sup> Street West, Quartz Hill, California, 93536, in the past five years; seven calls for fighting, three calls for public drunkenness, seven alarms, one theft, one traffic collision, and twelve general disturbance calls. Attached is the CFS report of those calls for your review.

All calls for service have been routine in nature. This establishment has not been a problem or a strain on department services.

The Los Angeles County Sheriff's Department recommends approval of this Conditional Use Permit.

If you have any additional questions, please contact Deputy Lance Jordan at (661) 940-3831.

Sincerely,

ALEX VILLANUEVA, SHERIFF

A handwritten signature in black ink, appearing to read "John J. Lecrivain".

John J. Lecrivain, Captain  
Lancaster Station

211 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

*A Tradition of Service*  
— Since 1850 —

Department of Alcoholic Beverage Control

State of California  
Gavin Newsom, Governor

## INFORMATION AND INSTRUCTIONS -

## SECTION 23958.4 B&amp;P

Instructions This form is to be used for all applications for original issuance or premises to premises transfer of licenses.

- Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
- Part 2 is to be completed by the applicant, and returned to ABC.
- Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

## PART 1 - TO BE COMPLETED BY ABC

1. APPLICANT'S NAME

2. PREMISES ADDRESS (Street number and name, city, zip code)

42142 50th Street West, Quartz Hill

3. LICENSE TYPE

47

4. TYPE OF BUSINESS

- |   |  |  |  |
|---|--|--|--|
| <input checked="" type="checkbox"/> Full Service Restaurant     | <input type="checkbox"/> Hofbrau/Cafeteria | <input type="checkbox"/> Cocktail Lounge               | <input type="checkbox"/> Private Club          |
| <input type="checkbox"/> Deli or Specialty Restaurant           | <input type="checkbox"/> Comedy Club       | <input type="checkbox"/> Night Club                    | <input type="checkbox"/> Veterans Club         |
| <input type="checkbox"/> Cafe/Coffee Shop                       | <input type="checkbox"/> Brew Pub          | <input type="checkbox"/> Tavern: Beer                  | <input type="checkbox"/> Fraternal Club        |
| <input type="checkbox"/> Bed & Breakfast:                       | <input type="checkbox"/> Theater           | <input type="checkbox"/> Tavern: Beer & Wine           | <input type="checkbox"/> Wine Tasting Room     |
| <input type="checkbox"/> Wine only <input type="checkbox"/> All |  |  |  |
| <input type="checkbox"/> Supermarket                            | <input type="checkbox"/> Membership Store  | <input type="checkbox"/> Service Station               | <input type="checkbox"/> Swap Meet/Flea Market |
| <input type="checkbox"/> Liquor Store                           | <input type="checkbox"/> Department Store  | <input type="checkbox"/> Convenience Market            | <input type="checkbox"/> Drive-in Dairy        |
| <input type="checkbox"/> Drug/Variety Store                     | <input type="checkbox"/> Florist/Gift Shop | <input type="checkbox"/> Convenience Market w/Gasoline |  |
| <input type="checkbox"/> Other - describe:                      |  |  |  |

5. COUNTY POPULATION

6. TOTAL NUMBER OF LICENSES IN COUNTY

7. RATIO OF LICENSES TO POPULATION IN COUNTY

☐ On-Sale ☐ Off-Sale☐ On-Sale ☐ Off-Sale

8. CENSUS TRACT NUMBER

9011.02

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT

5

10. NO. OF LICENSES EXISTING IN CENSUS TRACT

5

☐ On-Sale ☐ Off-Sale☐ On-Sale ☐ Off-Sale

11. IS THE ABOVE CENSUS TRACT OVERCONCENTRATED WITH LICENSES? (i.e., does the ratio of licenses to population in the census tract exceed the ratio of licenses to population for the entire county?)

☒ Yes, the number of existing licenses exceeds the number allowed☐ No, the number of existing licenses is lower than the number allowed

12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?

☒ Yes (Go to Item #13) ☐ No (Go to Item #20)

13. CRIME REPORTING DISTRICT NUMBER

1182

14. TOTAL NUMBER OF REPORTING DISTRICTS

83.1

15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS

16. AVERAGE NO. OF OFFENSES PER DISTRICT

17. 120% OF AVERAGE NUMBER OF OFFENSES

99.7

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT

341

19. IS THE PREMISES LOCATED IN A HIGH CRIME REPORTING DISTRICT? (i.e., has a 20% greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency)

☒ Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17☐ No, the total number of offenses in the reporting district is lower than the total number in item #17

20. CHECK THE BOX THAT APPLIES (check only one box)

- ☐ a. If "No" is checked in both item #11 and item #19, Section 23958.4 B&P does not apply to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.
- ☒ b. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.16(b) B&P, or a retail license issued in conjunction with a beer manufacturer's license, or winegrower's license, advise the applicant to complete Section 2 and bring the completed form to ABC when filing the application or as soon as possible thereafter.
- ☐ c. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for an off-sale beer and wine license, an off-sale general license, an on-sale beer license, an on-sale beer and wine (public premises) license, or an on-sale general (public premises) license, advise the applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application.

Governing Body/Designated Subordinate Name:

## FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)

AI 6/28/2021